

**H.R. 4350—FY22 NATIONAL DEFENSE
AUTHORIZATION BILL**

**SUBCOMMITTEE ON MILITARY
PERSONNEL**

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LEGISLATIVE PROVISIONS

SUBTITLE A—ACTIVE FORCES

Section 401—End Strengths for Active Forces

This section would authorize the following end strengths for Active Duty personnel of the Armed Forces as of September 30, 2022:

Service	FY 2021	FY 2022		Change from	
	Authorized	Request	Committee Recommendation	FY 2022 Request	FY 2021 Authorized
Army	485,900	485,000	485,000	0	-900
Navy	347,800	346,200	346,200	0	-1,600
USMC	181,200	178,500	178,500	0	-2,700
Air Force	333,475	328,300	328,300	0	-5,175
Space Force	6,434	8,400	8,400	0	1,966
DOD Total	1,354,809	1,346,400	1,346,400	0	-8,409

Section 402—Revisions in Permanent Active Duty End Strength Minimum Levels

This section would establish new minimum Active Duty end strengths for the Army, Navy, Marine Corps, Air Force, and Space Force as of September 30, 2022. The committee recommends 485,000 as the minimum Active Duty end strength for the Army, 346,200 as the minimum Active Duty end strength for the Navy, 178,500 as the minimum Active Duty end strength for the Marine Corps, 328,300 as the minimum Active Duty end strength for the Air Force, and 8,400 as the minimum Active Duty end strength for the Space Force.

SUBTITLE B—RESERVE FORCES

Section 411—End Strengths for Selected Reserve

This section would authorize the following end strengths for Selected Reserve personnel, including the end strength for Reserves on Active Duty in support of the Reserves, as of September 30, 2022:

Service	FY 2021	FY 2022		Change from	
	Authorized	Request	Committee Recommendation	FY 2022 Request	FY 2021 Authorized
Army National Guard	336,500	336,000	336,000	0	-500
Army Reserve	189,800	189,500	189,500	0	-300
Navy Reserve	58,800	58,600	58,600	0	-200
Marine Corps Reserve	38,500	36,800	36,800	0	-1,700
Air National Guard	108,100	108,300	108,300	0	200
Air Force Reserve	70,300	70,300	70,300	0	0
DOD Total	802,000	799,500	799,500	0	-2,500
Coast Guard Reserve	7,000	7,000	7,000	0	0

Section 412—End Strengths for Reserves on Active Duty in Support of the Reserves

This section would authorize the following end strengths for Reserves on Active Duty in support of the Reserves as of September 30, 2022:

Service	FY 2021	FY 2022		Change from	
	Authorized	Request	Committee Recommendation	FY 2022 Request	FY 2021 Authorized
Army National Guard	30,595	30,845	30,845	0	250
Army Reserve	16,511	16,511	16,511	0	0
Navy Reserve	10,215	10,293	10,293	0	78
Marine Corps Reserve	2,386	2,386	2,386	0	0
Air National Guard	25,333	26,661	26,661	0	1,328
Air Force Reserve	5,256	6,003	6,003	0	747
DOD Total	90,296	92,699	92,699	0	2,403

Section 413—End Strengths for Military Technicians (Dual Status)

This section would authorize the following end strengths for military technicians (dual status) as of September 30, 2022:

Service	FY 2021	FY 2022		Change from	
	Authorized	Request	Committee Recommendation	FY 2022 Request	FY 2021 Authorized
Army National Guard	22,294	22,294	22,294	0	0
Army Reserve	6,492	6,492	6,492	0	0
Air National Guard	10,994	9,885	9,885	0	-1,109
Air Force Reserve	7,947	7,111	7,111	0	-836
DOD Total	47,727	45,782	45,782	0	-1,945

Section 414—Maximum Number of Reserve Personnel Authorized To Be on Active Duty for Operational Support

This section would authorize, as required by section 115(b) of title 10, United States Code, the maximum number of Reserve Component personnel who may be on Active Duty or full-time National Guard duty during fiscal year 2022 to provide operational support. The personnel authorized here do not count against the end strengths authorized by section 401 or section 412 of this Act unless the duration on Active Duty exceeds the limitations in section 115(b)(2) of title 10, United States Code.

Service	FY 2021	FY 2022		Change from	
	Authorized	Request	Committee Recommendation	FY 2022 Request	FY 2021 Authorized
Army National Guard	17,000	17,000	17,000	0	0
Army Reserve	13,000	13,000	13,000	0	0
Navy Reserve	6,200	6,200	6,200	0	0
Marine Corps Reserve	3,000	3,000	3,000	0	0
Air National Guard	16,000	16,000	16,000	0	0
Air Force Reserve	14,000	14,000	14,000	0	0
DOD Total	69,200	69,200	69,200	0	0

TITLE V—MILITARY PERSONNEL POLICY

LEGISLATIVE PROVISIONS

SUBTITLE A—RESERVE COMPONENT MANAGEMENT

Section 501—Grade of Certain Chiefs of Reserve Components

This section would authorize the Chief of each service Reserve Component be in the grade of three-star officer.

SUBTITLE B—GENERAL SERVICE AUTHORITIES AND MILITARY RECORDS

Section 511—Reduction in Service Commitment Required for Participation in Career Intermission Program of a Military Department

This section would amend section 710 of title 10, United States Code, to reduce the commitment required for participation in the Career Intermission Program.

Section 512—Improvements to Military Accessions in Armed Forces under the Jurisdiction of the Secretaries of the Military Departments

This section would require the Secretary concerned to take directed steps to improve the military accessions process of their service.

Section 513—Required Staffing of Administrative Separation Boards

This section would ensure all administrative separation boards have a recorder and legal advisor. This section would also require the recorder to be a legal officer under the authority of the staff judge advocate for the separation authority.

Section 514—Command Oversight of Military Privatized Housing as Element of Performance Evaluations

This section would require that military privatized housing oversight is documented on the performance evaluation of an individual responsible for such oversight.

SUBTITLE C—MILITARY JUSTICE AND OTHER LEGAL MATTERS

Section 521—Activities to Improve Family Violence Prevention and Response

This section would examine the staffing levels of family advocacy programs and the measures of effectiveness for family violence prevention and response programs.

Section 525—Distribution of Information on the Availability of Civilian Victim Services

This section would require the Secretary of Defense to require each military legal service provider to provide, to each victim referred to such provider, a list of approved civilian victim service organizations from which the victim may seek legal assistance, legal representation, or other related services. This section also would require the Sexual Assault Prevention and Response Office of the Department of Defense to carry out activities to ensure the widespread distribution, throughout the Department, of information on the availability of services from civilian victim service organizations.

SUBTITLE E—SEXUAL ASSAULT

Section 541—Modification of Notice to Victims of Pendency of Further Administrative Action Following a Determination Not to Refer to Trial by Court-Martial

This section would strike “alleged sexual assault” and insert “an alleged sex-related offense” as defined in section 1044e(h) of title 10, United States Code, and require commanders to notify victims of sex-related offenses of the outcomes of administrative actions.

Section 542—Modifications to Annual Report Regarding Sexual Assaults Involving Members of the Armed Forces

This section would extend the reporting requirement of section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) for 5 years and require the annual report to include the race and ethnicity of the victim and accused.

Section 543—Civilian Positions to Support Special Victims' Counsel

This section would permit the Secretary of a military department to establish one or more civilian positions within each office of the Special Victims' Counsel under the jurisdiction of such Secretary to provide support to Special Victims' Counsel and to ensure continuity.

SUBTITLE F—MEMBER EDUCATION, TRAINING, AND TRANSITION

Section 551—Defense Language Institute Foreign Language Center

This section would amend section 2168 of title 10, United States Code, to permit the Defense Language Institute to confer Bachelor degrees, in addition to Associate degrees, to graduates that meet the appropriate requirements for that degree.

Section 552—United States Naval Community College

This section would establish the United States Naval Community College (USNCC) under the Department of the Navy and would provide the USNCC the authority to hire civilian faculty and award degrees.

Section 553—Codification of Establishment of United States Air Force Institute of Technology

This section would provide the authority for the United States Air Force Institute of Technology (AFIT) in title 10, United States Code, codifying AFIT's existing role to serve both the Air Force and the Space Force.

Section 554—Clarification and Expansion of Prohibition on Gender-Segregated Training in the Marine Corps

This section would further specify the level of gender integration required for Marine Corps enlisted and officer training.

Section 555—Professional Military Education: Report; Definition

This section would require the Secretary of Defense to review, assess, and standardize the definition of professional military education across the Department of Defense.

SUBTITLE G—MILITARY FAMILY READINESS AND DEPENDENTS' EDUCATION

Section 561—Establishment of Exceptional Family Member Program Advisory Council

This section would establish an Exceptional Family Member Program Advisory Council to better support military families who have members with special needs.

Section 562—Clarification of Qualifications for Attorneys Who Provide Legal Services to Families Enrolled in the Exceptional Family Member Program

This section would clarify the experience required by attorneys supporting Exceptional Family Member Program participants.

Section 563—Report on Preservation of the Force and Family Program of United States Special Operations Command

This section would require the Commander, U.S. Special Operations Command, to submit a report on the effectiveness of the Preservation of the Force and Family human performance domains for the entire special operations community, including women and minority communities.

Section 564—GAO Review of Preservation of the Force and Family Program of United States Special Operations Command

This section would require a comprehensive review of the Preservation of the Force and Family Program by the Comptroller General of the United States.

SUBTITLE H—DIVERSITY AND INCLUSION

Section 571—Information on Female and Minority Participation in Military Service Academies and the Senior Reserve Officers' Training Corps

This section would amend section 113 of title 10, United States Code, to include information on female and minority participation at the service academies and Senior Reserve Officers' Training Corps.

SUBTITLE I—DECORATIONS AND AWARDS

Section 581—Eligibility of Veterans of Operation End Sweep for Vietnam Service Medal

This section would authorize the Secretary concerned to award the Vietnam Service Medal to eligible veterans of Operation End Sweep.

Section 582—Establishment of the Atomic Veterans Service Medal

This section would authorize the establishment of a commemorative Atomic Veterans Service Medal to honor radiation-exposed retired and former members of the Armed Forces.

SUBTITLE J—MISCELLANEOUS REPORTS AND OTHER MATTERS

Section 591—Reports on Misconduct by Members of Special Operations Forces

This section would institutionalize reporting requirements for the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD SO/LIC). The ASD SO/LIC would be required to notify Congress of all instances of misconduct by members of special operations forces. Reporting requirements would

remain consistent with the military services in accordance with existing service requirements.

Section 592—Updates and Preservation of Memorials to Chaplains at Arlington National Cemetery

This section would update and preserve memorials to chaplains at Arlington National Cemetery.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

LEGISLATIVE PROVISIONS

SUBTITLE A—PAY AND ALLOWANCES

Section 601—Basic Needs Allowance for Low-Income Regular Members

This section would amend section 402 of title 37, United States Code, to authorize the Secretary of Defense to pay a basic needs allowance to a qualified service member.

Section 602—Expansions of Certain Travel and Transportation Authorities

This section would amend titles 10 and 37, United States Code, to make permanent existing travel and transportation authorities that will expire after December 31, 2021. Section 631 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) consolidated travel and transportation allowances with the intent for the Department of Defense to reform and update those policies using the new broader travel and transportation authorities.

SUBTITLE B—BONUSES AND INCENTIVE PAYS

Section 611—One-Year Extension of Certain Expiring Bonus and Special Pay Authorities

This section would extend, through December 31, 2022, income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service; two critical recruitment and retention incentive programs for Reserve Component healthcare professionals; accession and retention incentives for nuclear-qualified officers; and the consolidated special and incentive pay authorities.

SUBTITLE C—FAMILY AND SURVIVOR BENEFITS

Section 621—Expansion of Parental Leave for Members of the Armed Forces

This section would amend section 701 of title 10, United States Code, to expand parental leave for qualified service members to 12 weeks.

Section 622—Transitional Compensation and Benefits for the Former Spouse of a Member of the Armed Forces Who Allegedly Committed a Dependent-Abuse Offense during Marriage

This section would modify section 1059 of title 10, United States Code, to clarify the timing for eligibility of transitional compensation for dependent-abuse offenses during marriage to a service member.

Section 623—Expansion of Pilot Program to Provide Financial Assistance to Members of the Armed Forces for In-Home Child Care

This section would authorize the expansion of the in-home childcare fee assistance pilot program.

Section 624—Continuation of Paid Parental Leave for a Member of the Armed Forces upon Death of Child

This section would authorize commanders to allow service members to complete the remainder of their preapproved primary or secondary caregiver leave following the death of the child for whom the leave was taken.

Section 625—Casualty Assistance Program: Reform; Establishment of Working Group

This section would establish a Casualty Assistance Reform Working Group to assess the casualty affairs programs across the Department of Defense.

SUBTITLE D—DEFENSE RESALE MATTERS

Section 631—Additional Sources of Funds Available for Construction, Repair, Improvement, and Maintenance of Commissary Stores

This section would provide the Defense Commissary Agency (DeCA) with flexibility in addressing commissary store construction, renovation, repairs, and upgrades by allowing DeCA to deposit additional revenues into the surcharge account established pursuant to section 2484 of title 10, United States Code.

TITLE VII—HEALTH CARE PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—TRICARE AND OTHER HEALTH CARE BENEFITS

Section 701—Improvement of Postpartum Care for Certain Members of the Armed Forces and Dependents

This section would require a pilot program in support of post-natal care, to include pelvic health rehabilitation, and the issuance of policy guidance to develop and to implement standard protocols across the Military Health System to treat obstetric hemorrhage.

Section 702—Modifications to Pilot Program on Health Care Assistance System

This section would extend the deadline and scope of the report required following this pilot.

SUBTITLE B—HEALTH CARE ADMINISTRATION

Section 711—Authorization of Program to Prevent Fraud and Abuse in the Military Health System

This section would establish a program to prevent fraud and abuse in the Military Health System.

Section 712—Establishment of Department of Defense System to Track and Record Information on Vaccine Administration

This section would establish a process for the Department of Defense to track vaccines administered by the Department, including adverse reactions and refusals.

Section 713—Modifications and Report Related to Reduction or Realignment of Military Medical Manning and Medical Billets

This section would modify previous limitations on the realignment or reduction of military medical manning end strength in light of emerging requirements.

Section 717—Standardization of Definitions Used by the Department of Defense for Terms Related to Suicide

This section would require the Department of Defense to standardize suicide attempt and suicidal ideation definitions across all of the military services.

SUBTITLE C—REPORTS AND OTHER MATTERS

Section 732—Pilot Program on Cardiac Screening at Certain Military Service Academies

This section would expand an ongoing pilot to conduct cardiac screening for incoming candidates at the military service academies.

Section 733—Independent Analysis of Department of Defense Comprehensive Autism Care Demonstration Program

This section would require an independent review of the Department of Defense Comprehensive Autism Care Demonstration program to be completed by the National Academies of Sciences, Engineering, and Medicine.

Section 734—GAO Study on Exclusion of Certain Remarried Individuals from Medical and Dental Coverage under TRICARE Program

This section would require the Comptroller General to conduct a study on the purpose and effects of limiting medical and dental coverage under the TRICARE program to exclude remarried widows, widowers, and former spouses of members or former members of the uniformed services.

Section 735—Study on Joint Fund of the Department of Defense and the Department of Veterans Affairs for Federal Electronic Health Record Modernization Office

This section would require the Department of Defense and the Department of Veterans Affairs to evaluate the effectiveness and future of the Federal Electronic Health Record Modernization Office.

Section 736—Briefing on Domestic Production of Critical Active Pharmaceutical Ingredients

This section would require a briefing on the development of a domestic production capability for critical active pharmaceutical ingredients and final dosage form medicines.

TITLE X—GENERAL PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE G—OTHER MATTERS

Section 1082—Providing End-to-End Electronic Voting Services for Absent Uniformed Services Voters in Locations with Limited or Immature Postal Service

This section would explore electronic solutions for reducing voting barriers for service members in remote locations.

TITLE XIV—OTHER AUTHORIZATIONS

LEGISLATIVE PROVISIONS

SUBTITLE B—OTHER MATTERS

Section 1411—Authority for Transfer of Funds to Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois

This section would authorize the transfer of funds to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund.

Section 1412—Authorization of Appropriations for Armed Forces Retirement Home

This section would authorize appropriations for the operation of the Armed Forces Retirement Home.

DIVISION E—NON-DEPARTMENT OF DEFENSE MATTERS

TITLE LX—OTHER MATTERS

Section 6001—FAA Rating of Civilian Pilots of the Department of Defense

This section would require the Federal Aviation Administration (FAA) to modify section 61.73 of title 14, Code of Federal Regulations, so that Department of Defense civilian pilots who receive the same training, instruction, and qualifications as their Active Duty, Reserve, and National Guard counterparts receive the same treatment with respect to FAA recognition of pilot ratings.

1 **Subtitle A—Active Forces**

2 **SEC. 401 [log72830]. END STRENGTHS FOR ACTIVE FORCES.**

3 The Armed Forces are authorized strengths for active
4 duty personnel as of September 30, 2022, as follows:

- 5 (1) The Army, 485,000.
6 (2) The Navy, 346,200.
7 (3) The Marine Corps, 178,500.
8 (4) The Air Force, 328,300.
9 (5) The Space Force, 8,400.

1 **SEC. 402 [log72831]. REVISIONS IN PERMANENT ACTIVE**
2 **DUTY END STRENGTH MINIMUM LEVELS.**

3 Section 691(b) of title 10, United States Code, is
4 amended by striking paragraphs (1) through (5) and in-
5 serting the following new paragraphs:

6 “(1) For the Army, 485,000.

7 “(2) For the Navy, 346,200.

8 “(3) For the Marine Corps, 178,500.

9 “(4) For the Air Force, 328,300.

10 “(5) For the Space Force, 8,400.”.

1 **Subtitle B—Reserve Forces**

2 **SEC. 411 [log70893]. END STRENGTHS FOR SELECTED RE-** 3 **SERVE.**

4 (a) IN GENERAL.—The Armed Forces are authorized
5 strengths for Selected Reserve personnel of the reserve
6 components as of September 30, 2022, as follows:

7 (1) The Army National Guard of the United
8 States, 336,000.

9 (2) The Army Reserve, 189,500.

10 (3) The Navy Reserve, 58,600.

11 (4) The Marine Corps Reserve, 36,800.

12 (5) The Air National Guard of the United
13 States, 108,300.

14 (6) The Air Force Reserve, 70,300.

15 (7) The Coast Guard Reserve, 7,000.

16 (b) END STRENGTH REDUCTIONS.—The end
17 strengths prescribed by subsection (a) for the Selected Re-
18 serve of any reserve component shall be proportionately
19 reduced by—

20 (1) the total authorized strength of units orga-
21 nized to serve as units of the Selected Reserve of
22 such component which are on active duty (other
23 than for training) at the end of the fiscal year; and

24 (2) the total number of individual members not
25 in units organized to serve as units of the Selected

1 Reserve of such component who are on active duty
2 (other than for training or for unsatisfactory partici-
3 pation in training) without their consent at the end
4 of the fiscal year.

5 (c) END STRENGTH INCREASES.—Whenever units or
6 individual members of the Selected Reserve of any reserve
7 component are released from active duty during any fiscal
8 year, the end strength prescribed for such fiscal year for
9 the Selected Reserve of such reserve component shall be
10 increased proportionately by the total authorized strengths
11 of such units and by the total number of such individual
12 members.

1 **SEC. 412 [log72833]. END STRENGTHS FOR RESERVES ON AC-**
2 **TIVE DUTY IN SUPPORT OF THE RESERVES.**

3 Within the end strengths prescribed in section
4 411(a), the reserve components of the Armed Forces are
5 authorized, as of September 30, 2022, the following num-
6 ber of Reserves to be serving on full-time active duty or
7 full-time duty, in the case of members of the National
8 Guard, for the purpose of organizing, administering, re-
9 cruiting, instructing, or training the reserve components:

10 (1) The Army National Guard of the United
11 States, 30,845.

12 (2) The Army Reserve, 16,511.

13 (3) The Navy Reserve, 10,293.

14 (4) The Marine Corps Reserve, 2,386.

15 (5) The Air National Guard of the United
16 States, 26,661.

17 (6) The Air Force Reserve, 6,003.

1 **SEC. 413 [log72834]. END STRENGTHS FOR MILITARY TECH-**
2 **NICIANS (DUAL STATUS).**

3 The minimum number of military technicians (dual
4 status) as of the last day of fiscal year 2022 for the re-
5 serve components of the Army and the Air Force (notwith-
6 standing section 129 of title 10, United States Code) shall
7 be the following:

8 (1) For the Army National Guard of the United
9 States, 22,294.

10 (2) For the Army Reserve, 6,492.

11 (3) For the Air National Guard of the United
12 States, 9,885.

13 (4) For the Air Force Reserve, 7,111.

1 **SEC. 414 [log72835]. MAXIMUM NUMBER OF RESERVE PER-**
2 **SONNEL AUTHORIZED TO BE ON ACTIVE**
3 **DUTY FOR OPERATIONAL SUPPORT.**

4 During fiscal year 2022, the maximum number of
5 members of the reserve components of the Armed Forces
6 who may be serving at any time on full-time operational
7 support duty under section 115(b) of title 10, United
8 States Code, is the following:

- 9 (1) The Army National Guard of the United
10 States, 17,000.
- 11 (2) The Army Reserve, 13,000.
- 12 (3) The Navy Reserve, 6,200.
- 13 (4) The Marine Corps Reserve, 3,000.
- 14 (5) The Air National Guard of the United
15 States, 16,000.
- 16 (6) The Air Force Reserve, 14,000.

1 **Subtitle A—Reserve Component**
2 **Management**

3 **SEC. 501 [log73052]. GRADE OF CERTAIN CHIEFS OF RE-**
4 **SERVE COMPONENTS.**

5 (a) IN GENERAL.—

6 (1) CHIEF OF ARMY RESERVE.—Section
7 7038(b)(1) of title 10, United States Code, is
8 amended by striking “general officers of the Army
9 Reserve” and inserting “officers of the Army Re-
10 serve in the grade of lieutenant general and”.

11 (2) CHIEF OF NAVY RESERVE.—Section
12 8083(b)(1) of such title is amended by striking “flag
13 officers of the Navy (as defined in section 8001(1))”
14 and inserting “officers of the Navy Reserve in the
15 grade of vice admiral and”.

16 (3) COMMANDER, MARINE FORCES RESERVE.—
17 Section 8084(b)(1) of such title is amended by strik-
18 ing “general officers of the Marine Corps (as defined
19 in section 8001(2))” and inserting “officers of the
20 Marine Corps Reserve in the grade of lieutenant
21 general and”.

22 (4) CHIEF OF AIR FORCE RESERVE.—Section
23 9038(b)(1) of such title is amended by striking
24 “general officers of the Air Force Reserve” and in-

1 serting “officers of the Air Force Reserve in the
2 grade of lieutenant general and”.

3 (b) EFFECTIVE DATE.—The amendments made
4 under subsection (a) shall take effect on the date that is
5 one year after the date of the enactment of this Act and
6 shall apply to appointments made after such date.

1 **Subtitle B—General Service**
2 **Authorities and Military Records**

3 **SEC. 511 [log73379]. REDUCTION IN SERVICE COMMITMENT**
4 **REQUIRED FOR PARTICIPATION IN CAREER**
5 **INTERMISSION PROGRAM OF A MILITARY DE-**
6 **PARTMENT.**

7 Section 710(c)(3) of title 10, United States Code, is
8 amended by striking “two months” and inserting “one
9 month”.

1 **SEC. 512 [log73193]. IMPROVEMENTS TO MILITARY ACCES-**
2 **SIONS IN ARMED FORCES UNDER THE JURIS-**
3 **DICTION OF THE SECRETARIES OF THE MILI-**
4 **TARY DEPARTMENTS.**

5 (a) IN GENERAL.—Not later than one year after the
6 date of the enactment of this Act, each Secretary of a mili-
7 tary department shall take the following steps regarding
8 military accessions in each Armed Force under the juris-
9 diction of such Secretary:

10 (1) Assess the prescribed medical standards for
11 appointment as an officer, or enlistment as a mem-
12 ber, in such Armed Force.

13 (2) Determine how to update the medical
14 screening processes for appointment or enlistment.

15 (3) Determine how to standardize operations
16 across the military entrance processing stations.

17 (4) Determine how to improve aptitude testing
18 methods and standardized testing requirements.

19 (5) Implement improvements determined or
20 identified under paragraphs (1) through (4).

21 (b) REPORT.—Not later than one year after the date
22 of the enactment of this Act, each Secretary shall submit
23 to the appropriate congressional committees a report con-
24 taining the results of carrying out this section and rec-
25 ommendations regarding legislation the Secretary deter-
26 mines necessary to improve such military accessions.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) The Committee on Armed Services of the
5 House of Representatives.

6 (2) The Committee on Armed Services of the
7 Senate.

8 (3) The Committee on Transportation and In-
9 frastructure of the House of Representatives.

10 (4) The Committee on Commerce, Science, and
11 Transportation of the Senate.

1 **SEC. 513 [log73174]. REQUIRED STAFFING OF ADMINISTRA-**
2 **TIVE SEPARATION BOARDS.**

3 (a) IN GENERAL.—The Secretary of the military de-
4 partment concerned shall ensure that any administrative
5 separation board under the jurisdiction of such Secretary
6 has assigned to it the following:

7 (1) A nonvoting legal advisor who shall be re-
8 sponsible for providing legal advice to the President
9 of the board on—

10 (A) the operations and procedures of the
11 board; and

12 (B) matters under consideration by the
13 board.

14 (2) A nonvoting recorder who shall be respon-
15 sible for representing the separation authority in the
16 in the proceedings before the board.

17 (b) SELECTION AND SUPERVISION.—

18 (1) IN GENERAL.—The nonvoting legal advisor
19 referred to in subsection (a)(1) and the recorder re-
20 ferred to in subsection (a)(2) shall each be selected
21 by the staff judge advocate and each shall serve
22 under the supervision of such staff judge advocate.

23 (2) CERTIFICATION.—The staff judge advocate
24 who selects the recorder under paragraph (1) shall
25 include in the record of the proceedings of the board
26 a written certification affirming that the recorder

- 1 has the legal skills necessary to competently fulfill
- 2 the duties of that position.

1 **SEC. 514 [log72839]. COMMAND OVERSIGHT OF MILITARY**
2 **PRIVATIZED HOUSING AS ELEMENT OF PER-**
3 **FORMANCE EVALUATIONS.**

4 (a) **EVALUATIONS IN GENERAL.**—Each Secretary of
5 a military department shall ensure that the performance
6 evaluations of any individual described in subsection (b)
7 under the jurisdiction of such Secretary indicates the ex-
8 tent to which such individual has or has not exercised ef-
9 fective oversight and leadership in the following:

10 (1) Improving conditions of privatized housing
11 under subchapter IV of chapter 169 of title 10,
12 United States Code.

13 (2) Addressing concerns with respect to such
14 housing of members of the Armed Forces and their
15 families who reside in such housing on an installa-
16 tion of the military department concerned.

17 (b) **COVERED INDIVIDUALS.**—The individuals de-
18 scribed in this subsection are as follows:

19 (1) The commander of an installation of a mili-
20 tary department at which on-installation housing is
21 managed by a landlord of privatized housing under
22 subchapter IV of chapter 169 of title 10, United
23 States Code.

24 (2) Each officer or senior enlisted member of
25 the Armed Forces at an installation described in

1 paragraph (1) whose duties include facilities or
2 housing management at such installation.

3 (3) Any other officer or enlisted member of the
4 Armed Forces (whether or not at an installation de-
5 scribed in paragraph (1)) as specified by the Sec-
6 retary of the military department concerned for pur-
7 poses of this section.

1 **Subtitle C—Military Justice and**
2 **Other Legal Matters**

3 **SEC. 521 [Log 73281]. ACTIVITIES TO IMPROVE FAMILY VIO-**
4 **LENCE PREVENTION AND RESPONSE.**

5 (a) DELEGATION OF AUTHORITY TO AUTHORIZE EX-
6 CEPTIONAL ELIGIBILITY FOR CERTAIN BENEFITS.—
7 Paragraph (4) of section 1059(m) of title 10, United
8 States Code, is amended to read as follows:

9 “(4)(A) Except as provided in subparagraph (B), the
10 authority of the Secretary concerned under paragraph (1)
11 may not be delegated.

12 “(B) During the two year period following the date
13 of the enactment of the National Defense Authorization
14 Act for Fiscal Year 2022, the authority of the Secretary
15 concerned under paragraph (1) may be delegated to an
16 official at the Assistant Secretary-level or above. Any exer-
17 cise of such delegated authority shall be reported to the
18 Secretary concerned on a quarterly basis.”.

19 (b) EXTENSION OF REQUIREMENT FOR ANNUAL
20 FAMILY ADVOCACY PROGRAM REPORT REGARDING
21 CHILD ABUSE AND DOMESTIC VIOLENCE.—Section
22 574(a) of the National Defense Authorization Act for Fis-
23 cal Year 2017 (Public Law 114–328; 130 Stat. 2141) is
24 amended by striking “April 30, 2021” and inserting
25 “April 30, 2026”.

1 (c) IMPLEMENTATION OF COMPTROLLER GENERAL
2 RECOMMENDATIONS.—

3 (1) IN GENERAL.—Consistent with the rec-
4 ommendations set forth in the report of the Comp-
5 troller General of the United States titled “Domestic
6 Abuse: Actions Needed to Enhance DOD’s Preven-
7 tion, Response, and Oversight” (GAO–21–289), the
8 Secretary of Defense, in consultation with the Secre-
9 taries of the military departments, shall carry out
10 the activities specified in subparagraphs (A) through
11 (K).

12 (A) DOMESTIC ABUSE DATA.—Not later
13 than 180 days after the date of the enactment
14 of this Act, the Secretary of Defense, in con-
15 sultation with the Secretaries of the military de-
16 partments, shall carry out each of the following:

17 (i) Issue guidance to the Secretaries
18 of the military departments to clarify and
19 standardize the process for collecting and
20 reporting data on domestic abuse in the
21 Armed Forces, including—

22 (I) data on the numbers and
23 types of domestic abuse and domestic
24 violence incidents involving members
25 of the Armed Forces;

1 (II) the information required to
2 be reported to the database on domes-
3 tic violence incidents under section
4 1562 of title 10, United States Code;
5 and

6 (III) data for inclusion in the re-
7 ports regarding child abuse and do-
8 mestic violence required to be sub-
9 mitted under section 574 of the Na-
10 tional Defense Authorization Act for
11 Fiscal Year 2017 (Public Law 114-
12 328; 130 Stat. 2141).

13 (ii) Develop a quality control process
14 to ensure the accurate and complete re-
15 porting of data on allegations of abuse in-
16 volving a member of the Armed Forces, in-
17 cluding allegations of abuse that do not
18 meet the Department of Defense definition
19 of domestic abuse.

20 (iii) Expand the scope of any report-
21 ing to Congress that includes data on do-
22 mestic abuse in the Armed Forces to in-
23 clude data on and analysis of the types of
24 allegations of domestic abuse.

1 (B) DOMESTIC VIOLENCE AND COMMAND
2 ACTION DATA.—Not later than 180 days after
3 the date of the enactment of this Act, the Sec-
4 retary of Defense, in consultation with the Sec-
5 retaries of the military departments, shall—

6 (i) evaluate the organizations and ele-
7 ments of the Department of Defense that
8 are responsible for tracking domestic vio-
9 lence incidents and the command actions
10 taken in response to such incidents to de-
11 termine if there are actions that may be
12 carried out to—

13 (I) eliminate gaps and
14 redundancies in the activities of such
15 organizations;

16 (II) ensure consistency in the ap-
17 proaches of such organizations to the
18 tracking of such incidents and actions;
19 and

20 (III) otherwise improve the
21 tracking of such incidents and actions
22 across the Department; and

23 (ii) based on the evaluation under
24 clause (i), clarify or adjust—

1 (I) the duties of such organiza-
2 tions and elements; and

3 (II) the manner in which such or-
4 ganizations and elements coordinate
5 their activities.

6 (C) REGULATIONS FOR VIOLATION OF CI-
7 VILIAN ORDERS OF PROTECTION.—The Sec-
8 retary of Defense shall revise or issue regula-
9 tions (as applicable) to ensure that each Sec-
10 retary of a military department provides, to any
11 member of the Armed Forces under the juris-
12 diction of such Secretary who is subject to a ci-
13 vilian order of protection, notice that the viola-
14 tion of such order may be punishable under
15 chapter 47 of title 10, United States Code (the
16 Uniform Code of Military Justice).

17 (D) AGREEMENTS WITH CIVILIAN VICTIM
18 SERVICE ORGANIZATIONS.—

19 (i) GUIDANCE REQUIRED.—The Sec-
20 retary of Defense, in consultation with the
21 Secretaries of the military departments,
22 shall issue guidance pursuant to which per-
23 sonnel of a Family Advocacy Program at a
24 military installation may enter into memo-
25 randa of understanding with qualified civil-

1 ian victim service organizations for pur-
2 poses of providing services to victims of do-
3 mestic abuse in accordance with clause (ii).

4 (ii) CONTENTS OF AGREEMENT.—A
5 memorandum of understanding entered
6 into under clause (i) shall provide that per-
7 sonnel of a Family Advocacy Program at a
8 military installation may refer a victim of
9 domestic abuse to a qualified civilian vic-
10 tim service organization if such personnel
11 determine that—

12 (I) the services offered at the in-
13 stallation are insufficient to meet the
14 victim’s needs; or

15 (II) such a referral would other-
16 wise benefit the victim.

17 (E) SCREENING AND REPORTING OF INI-
18 TIAL ALLEGATIONS.—The Secretary of Defense,
19 in consultation with the Secretaries of the mili-
20 tary departments, shall develop and implement
21 a standardized process—

22 (i) to ensure consistency in the man-
23 ner in which allegations of domestic abuse
24 are screened and documented at military
25 installations, including by ensuring that al-

1 legations of domestic abuse are docu-
2 mented regardless of the severity of the in-
3 cident;

4 (ii) that uses a risk-based approach to
5 consistently identify, from among such al-
6 legations of domestic abuse, the allegations
7 that should be presented to an Incident
8 Determination Committee; and

9 (iii) to ensure consistency in the form
10 and manner in which such allegations are
11 presented to Incident Determination Com-
12 mittees.

13 (F) IMPLEMENTATION AND OVERSIGHT OF
14 INCIDENT DETERMINATION COMMITTEES.—

15 (i) IMPLEMENTATION.—The Secretary
16 of Defense, in consultation with the Secre-
17 taries of the military departments, shall
18 ensure that Incident Determination Com-
19 mittees are fully implemented within each
20 Armed Force.

21 (ii) OVERSIGHT AND MONITORING.—
22 The Secretary of Defense shall—

23 (I) direct the Under Secretary of
24 Defense for Personnel and Readiness
25 to conduct oversight of the activities

1 of the Incident Determination Com-
2 mittees of the Armed Forces on an
3 ongoing basis; and

4 (II) establish a formal process
5 through which the Under Secretary
6 will monitor Incident Determination
7 Committees to ensure that the activi-
8 ties of such Committees are conducted
9 in an consistent manner in accordance
10 with the applicable policies of the De-
11 partment of Defense and the Armed
12 Forces.

13 (G) REASONABLE SUSPICION STANDARD
14 FOR INCIDENT REPORTING.—Not later than 90
15 days after the date of the enactment of the Act,
16 the Secretary of Defense, in consultation with
17 the Secretaries of the military departments,
18 shall issue regulations—

19 (i) under which the personnel of a
20 Family Advocacy Program shall be re-
21 quired to report an allegation of domestic
22 abuse to an Incident Determination Com-
23 mittee if there is reasonable suspicion that
24 the abuse occurred; and

1 (ii) that fully define and establish
2 standardized criteria for determining
3 whether an allegation of abuse meets the
4 reasonable suspicion standard referred to
5 in clause (i).

6 (H) GUIDANCE FOR VICTIM RISK ASSESS-
7 MENT.—The Secretary of Defense, in consulta-
8 tion with the Secretaries of the military depart-
9 ments, shall issue guidance that—

10 (i) identifies the risk assessment tools
11 that must be used by Family Advocacy
12 Program personnel to assess reports of do-
13 mestic abuse; and

14 (ii) establishes minimum qualifications
15 for the personnel responsible for using
16 such tools.

17 (I) IMPROVING FAMILY ADVOCACY PRO-
18 GRAM AWARENESS CAMPAIGNS.—The Secretary
19 of Defense, in consultation with the Secretaries
20 of the military departments, shall develop and
21 implement—

22 (i) a communications strategy to sup-
23 port the Armed Forces in increasing
24 awareness of the options and resources

1 available for reporting incidents of domes-
2 tic abuse; and

3 (ii) metrics to evaluate the effective-
4 ness of domestic abuse awareness cam-
5 paigns within the Department of Defense
6 and the Armed Forces, including by identi-
7 fying a target audience and defining meas-
8 urable objectives for such campaigns.

9 (J) ASSESSMENT OF THE DISPOSITION
10 MODEL FOR DOMESTIC VIOLENCE.—As part of
11 the independent analysis required by section
12 549C of the William M. (Mac) Thornberry Na-
13 tional Defense Authorization Act for Fiscal
14 Year 2021 (Public Law 116–283) the Secretary
15 of Defense shall include an assessment of—

16 (i) the risks and consequences of the
17 disposition model for domestic violence in
18 effect as of the date of the enactment of
19 this Act, including the risks and con-
20 sequences of such model with respect to—

21 (I) the eligibility of victims for
22 transitional compensation and other
23 benefits; and

24 (II) the eligibility of perpetrators
25 of domestic violence to possess fire-

1 arms and any related effects on the
2 military service of such individuals;
3 and

4 (ii) the feasibility and advisability es-
5 tablishing alternative disposition models
6 for domestic violence, including an assess-
7 ment of the advantages and disadvantages
8 of each proposed model.

9 (K) FAMILY ADVOCACY PROGRAM TRAIN-
10 ING.—

11 (i) TRAINING FOR COMMANDERS AND
12 SENIOR ENLISTED ADVISORS.—The Sec-
13 retary of Defense, in consultation with the
14 Secretaries of the military departments,
15 shall—

16 (I) ensure that the Family Advo-
17 cacy Program training provided to in-
18 stallation-level commanders and senior
19 enlisted advisors of the Armed Forces
20 meets the applicable requirements of
21 the Department of Defense; and

22 (II) shall provide such additional
23 guidance and sample training mate-
24 rials as may be necessary to improve
25 the consistency of such training.

1 (ii) TRAINING FOR CHAPLAINS.—The
2 Secretary of Defense shall—

3 (I) require that chaplains of the
4 Armed Forces receive Family Advo-
5 cacy Program training;

6 (II) establish content require-
7 ments and learning objectives for such
8 training; and

9 (III) provide such additional
10 guidance and sample training mate-
11 rials as may be necessary to effec-
12 tively implement such training.

13 (iii) TRAINING COMPLETION DATA.—
14 The Secretary of Defense, in consultation
15 with the Secretaries of the military depart-
16 ments, shall develop a process to ensure
17 the quality and completeness of data indi-
18 cating whether members of the Armed
19 Forces who are required to complete Fam-
20 ily Advocacy Program training, including
21 installation-level commanders and senior
22 enlisted advisors, have completed such
23 training.

24 (2) GENERAL IMPLEMENTATION DATE.—Except
25 as otherwise provided in paragraph (1), the Sec-

1 retary of Defense shall complete the implementation
2 of the activities specified in such paragraph by not
3 later than one year after the date of the enactment
4 of this Act.

5 (3) QUARTERLY STATUS REPORT.—Not later
6 than 90 days after the date of the enactment of this
7 Act and on a quarterly basis thereafter until the
8 date on which all of the activities specified in para-
9 graph (1) have been implemented, the Secretary of
10 Defense shall submit to the appropriate congress-
11 sional committees a report on the status of the im-
12 plementation of such activities.

13 (d) IMPROVING AWARENESS REGARDING FAMILY
14 ADVOCACY PROGRAMS AND OTHER SIMILAR SERVICES.—

15 (1) PILOT PROGRAM ON INFORMATION FOR
16 FAMILIES ENROLLING IN DEERS.—The Secretary of
17 Defense shall carry out a pilot program to assess the
18 feasibility and advisability of various mechanisms to
19 inform military families about the Family Advocacy
20 Programs and resiliency training of the Armed
21 Forces during their enrollment in the Defense En-
22 rollment Eligibility Reporting System. The matters
23 assessed by the pilot program shall include the fol-
24 lowing:

1 (A) An option for training members of
2 military families on the Family Advocacy Pro-
3 grams.

4 (B) Mechanisms for providing such family
5 members with information on—

6 (i) the resources available through the
7 Family Advocacy Programs of the Armed
8 Forces;

9 (ii) the Military OneSource program
10 of the Department of Defense;

11 (iii) resources relating to domestic
12 abuse and child abuse and neglect that are
13 available through local community service
14 organizations; and

15 (iv) the availability of the Military and
16 Family Life Counseling Program.

17 (C) Steps that may be taken to better in-
18 form such family members of the option to
19 make a restricted report or an unrestricted re-
20 port to a Family Advocacy Program, including
21 information on the difference between such re-
22 ports.

23 (2) INFORMATION ON SERVICES FOR MILITARY
24 FAMILIES.—Each Secretary of a military department
25 shall ensure that a military family member who re-

1 ports an incident of domestic abuse or child abuse
2 and neglect to a Family Advocacy Program under
3 the jurisdiction of such Secretary receives com-
4 prehensive information, in a clear and easily under-
5 standable format, on the services available to such
6 family member in connection with such incident.
7 Such information shall include a complete guide to
8 the following:

9 (A) The Family Advocacy Program of the
10 Armed Force or military department concerned.

11 (B) Military law enforcement services, in-
12 cluding an explanation of the process that fol-
13 lows a report of an incident of domestic abuse
14 or child abuse or neglect.

15 (C) Other applicable victim services.

16 (e) REPORTS ON STAFFING LEVELS FOR FAMILY AD-
17 VOCACY PROGRAMS.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date on which the staffing tool described
20 in paragraph (2) becomes operational, and on an an-
21 nual basis thereafter for the following five years, the
22 Secretary of Defense shall submit to the appropriate
23 congressional committees a report setting forth the
24 following:

1 (A) Military, civilian, and contract support
2 staffing levels for the Family Advocacy Pro-
3 grams of the Armed Forces at each military in-
4 stallation so staffed as of the date of the report.

5 (B) Recommendations for ideal staffing
6 levels for the Family Advocacy Programs, as
7 identified by the staffing tool.

8 (2) STAFFING TOOL DESCRIBED.—The staffing
9 tool described in this paragraph is a tool that—

10 (A) is under development as of the date of
11 the enactment of this Act pursuant to an agree-
12 ment between the Department of Defense and
13 Pennsylvania State University; and

14 (B) will be used to assist the Department
15 in determining adequate staffing levels for
16 Family Advocacy Programs.

17 (3) COMPTROLLER GENERAL REVIEW.—

18 (A) IN GENERAL.—Following the submis-
19 sion of the first annual report required under
20 paragraph (1), the Comptroller General of the
21 United States shall conduct a review of the
22 staffing of the Family Advocacy Programs of
23 the Armed Forces.

1 (B) ELEMENTS.—The review conducted
2 under subparagraph (A) shall include an assess-
3 ment of each of the following:

4 (i) The extent to which the Armed
5 Forces have filled authorized billets for
6 Family Advocacy program manager, clini-
7 cian, and victim advocate positions.

8 (ii) The extent to which the Armed
9 Forces have experienced challenges filling
10 authorized Family Advocacy Program posi-
11 tions, and how such challenges, if any,
12 have affected the provision of services.

13 (iii) The extent to which the Depart-
14 ment of Defense and Armed Forces have
15 ensured that Family Advocacy Program
16 clinicians and victim advocates meet quali-
17 fication and training requirements.

18 (iv) The extent to which the Depart-
19 ment of Defense has established metrics to
20 evaluate the effectiveness of the staffing
21 tool described in paragraph (2).

22 (C) BRIEFING AND REPORT.—

23 (i) BRIEFING.—Not later than one
24 year following the submission of the first
25 annual report required under paragraph

1 (1), the Comptroller General shall provide
2 to the Committees on Armed Services of
3 the Senate and the House of Representa-
4 tives a briefing on the preliminary observa-
5 tions made by the Comptroller General as
6 part of the review required under subpara-
7 graph (A).

8 (ii) REPORT.—Not later than 90 days
9 after the date of the briefing under clause
10 (i), the Comptroller General shall submit
11 to the Committees on Armed Services of
12 the Senate and the House of Representa-
13 tives a report on the results of the review
14 conducted under subparagraph (A).

15 (f) STUDY AND REPORT ON INITIAL ENTRY
16 POINTS.—

17 (1) STUDY.—The Secretary of Defense shall
18 conduct a study to identify initial entry points (in-
19 cluding anonymous entry points) through which mili-
20 tary family members may seek information or sup-
21 port relating to domestic abuse or child abuse and
22 neglect. Such study shall include an assessment of—

23 (A) points at which military families inter-
24 act with the Armed Forces or the Department
25 of Defense through which such information or

1 support may be provided to family members, in-
2 cluding points such as enrollment in the De-
3 fense Enrollment Eligibility Reporting System,
4 and the issuance of identification cards; and

5 (B) other existing and potential routes
6 through which such family members may seek
7 information or support from the Armed Forces
8 or the Department, including online chat rooms,
9 text-based support capabilities, and software
10 applications for smartphones.

11 (2) REPORT.—Not later than one year after the
12 date of the enactment of this Act, the Secretary of
13 Defense shall submit to the Committees on Armed
14 Services of the Senate and the House of Representa-
15 tives a report setting forth the results of the study
16 conducted under paragraph (1).

17 (g) INSPECTOR GENERAL REPORT.—Not later than
18 120 days after the date of the enactment of this Act, the
19 Inspector General of the Department of Defense shall sub-
20 mit to the Secretary of Defense and to the Committees
21 on Armed Services of the Senate and the House of Rep-
22 resentatives a report that—

23 (1) evaluates the progress of the Secretary of
24 Defense in carrying out this section; and

1 (2) identifies any actions the Secretary is tak-
2 ing improve the practices of military installations
3 with respect to the prevention and response to do-
4 mestic abuse and child abuse and neglect among
5 military families.

6 (h) DEFINITIONS.—In this section:

7 (1) The term “appropriate congressional com-
8 mittees” means—

9 (A) the Committee on Armed Services and
10 the Committee on Commerce, Science, and
11 Transportation of the Senate; and

12 (B) the Committee on Armed Services and
13 the Committee on Transportation and Infra-
14 structure of the House of Representatives.

15 (2) The term “civilian order of protection” has
16 the meaning given that term in section 1561a of
17 title 10, United States Code.

18 (3) The term “disposition model for domestic
19 violence” means the process to determine—

20 (A) the disposition of charges of an offense
21 of domestic violence under section 928b of title
22 10, United States Code (article 128b of the
23 Uniform Code of Military Justice); and

24 (B) consequences of such disposition for
25 members of the Armed Forces determined to

1 have committed such offense and the victims of
2 such offense.

3 (4) The term “Incident Determination Com-
4 mittee” means a committee established at a military
5 installation that is responsible for reviewing reported
6 incidents of domestic abuse and determining whether
7 such incidents constitute harm to the victims of such
8 abuse according to the applicable criteria of the De-
9 partment of Defense.

10 (5) The term “qualified civilian victim service
11 organization” means an organization outside the De-
12 partment of Defense that—

13 (A) is approved by the Secretary of De-
14 fense for the purpose of providing legal or other
15 services to victims of domestic abuse; and

16 (B) is located in a community surrounding
17 a military installation.

18 (6) The term “risk assessment tool” means a
19 process or technology that may be used to evaluate
20 a report of an incident of domestic abuse to deter-
21 mine the likelihood that the abuse will escalate or
22 recur.

1 **SEC. 525 [Log 72970]. DISTRIBUTION OF INFORMATION ON**
2 **THE AVAILABILITY OF CIVILIAN VICTIM**
3 **SERVICES.**

4 (a) INFORMATION DISTRIBUTION.—Not later than
5 180 days after the date of the enactment of this Act, the
6 Secretary of Defense shall—

7 (1) require each military legal service provider
8 to provide, to each victim referred to such provider,
9 a list of approved civilian victim service organiza-
10 tions from which the victim may seek legal assist-
11 ance, legal representation, or other legal services;
12 and

13 (2) direct the Sexual Assault Prevention and
14 Response Office of the Department of Defense to
15 carry out activities to ensure the widespread dis-
16 tribution, throughout the Department, of informa-
17 tion on the availability of services from civilian vic-
18 tim service organizations.

19 (b) APPROVAL OF ORGANIZATIONS.—The Secretary
20 of Defense, acting through the Sexual Assault Prevention
21 and Response Office of the Department of Defense, shall
22 establish criteria for the approval of civilian victim service
23 organizations for inclusion on the list described in sub-
24 section (a)(1).

25 (c) DEFINITIONS.—In this section:

1 (1) The term “civilian victim service organiza-
2 tion” means an organization outside the Department
3 of Defense that is approved by the Secretary of De-
4 fense for the purpose of providing legal assistance,
5 legal representation, or other legal services directly
6 to a victim.

7 (2) The term “military legal service provider”
8 means an individual or organization within the De-
9 partment of Defense authorized to provide legal as-
10 sistance, legal representation, or other legal services
11 directly to a victim.

12 (3) The term “victim” means the victim of an
13 offense under chapter 47 of title 10, United States
14 Code (the Uniform Code of Military Justice).

1 **Subtitle E—Other Sexual Assault-**
2 **Related Matters**

3 **SEC. 541 [Log 73391]. MODIFICATION OF NOTICE TO VIC-**
4 **TIMS OF PENDENCY OF FURTHER ADMINIS-**
5 **TRATIVE ACTION FOLLOWING A DETERMINA-**
6 **TION NOT TO REFER TO TRIAL BY COURT-**
7 **MARTIAL.**

8 Section 549 of the National Defense Authorization
9 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
10 806b note) is amended—

11 (1) in the section heading, by striking “**AL-**
12 **LEGED SEXUAL ASSAULT**” and inserting “**AL-**
13 **LEGED SEX-RELATED OFFENSE**”;

14 (2) by striking “Under regulations” and insert-
15 ing “Notwithstanding section 552a of title 5, United
16 States Code, and under regulations”;

17 (3) by striking “alleged sexual assault” and in-
18 serting “an alleged sex-related offense (as defined in
19 section 1044e(h) of title 10, United States Code)”;
20 and

21 (4) by adding at the end the following new sen-
22 tence: “Upon such final determination, the com-
23 mander shall notify the victim of the type of action
24 taken on such case, the outcome of the action (in-
25 cluding any punishments assigned or characteriza-

1 tion of service, as applicable), and such other infor-
2 mation as the commander determines to be rel-
3 evant.”

1 **SEC. 542 [Log 73175]. MODIFICATIONS TO ANNUAL REPORT**
2 **REGARDING SEXUAL ASSAULTS INVOLVING**
3 **MEMBERS OF THE ARMED FORCES.**

4 (a) **ELIMINATION OF SUNSET AND INCLUSION OF**
5 **DEMOGRAPHIC INFORMATION.—**

6 (1) **IN GENERAL.—**Section 1631 of the Ike
7 Skelton National Defense Authorization Act for Fis-
8 cal Year 2011 (Public Law 111–383; 10 U.S.C.
9 1561 note) is amended—

10 (A) in subsection (a), by striking “through
11 March 1, 2021” and inserting “through March
12 1, 2026”; and

13 (B) in subsection (b)—

14 (i) in paragraph (3), by inserting “the
15 race and ethnicity of the victim and ac-
16 cused,” before “the action”; and

17 (ii) in paragraph (13)(B), by inserting
18 “, including the race and ethnicity of the
19 victim and accused” before the period at
20 the end.

21 (2) **APPLICABILITY.—**The amendments made
22 by paragraph (1) shall apply with respect to reports
23 required to be submitted under section 1631 of the
24 Ike Skelton National Defense Authorization Act for
25 Fiscal Year 2011 (Public Law 111–383; 10 U.S.C.

1 1561 note) after the date of the enactment of this
2 Act.

3 (b) ADDITIONAL PREVALENCE DATA.—

4 (1) IN GENERAL.—Paragraph (8) of section
5 1631(b) of the Ike Skelton National Defense Au-
6 thorization Act for Fiscal Year 2011 (Public Law
7 111–383; 10 U.S.C. 1561 note) is amended to read
8 as follows:

9 “(8) An analysis and assessment of trends in
10 the incidence, disposition, and prosecution of sexual
11 assaults by units, commands and other competent
12 authorities, and installations during the year covered
13 by the report, including trends relating to—

14 “(A) the prosecution of incidents and
15 avoidance of incidents; and

16 “(B) the prevalence of incidents, set forth
17 separately for—

18 “(i) each installation with 5,000 or
19 more servicemembers;

20 “(ii) the major career fields of any in-
21 dividuals involved in such incidents, includ-
22 ing the fields of combat arms, aviation, lo-
23 gistics, maintenance, administration, and
24 medical; and

1 “(iii) in the case of the Navy, the
2 operational status (whether sea duty or
3 shore duty) of any individuals involved in
4 such incidents.”.

5 (2) APPLICABILITY.—The amendment made by
6 paragraph (1) shall apply with respect to reports re-
7 quired to be submitted under section 1631 of the Ike
8 Skelton National Defense Authorization Act for Fis-
9 cal Year 2011 (Public Law 111–383; 10 U.S.C.
10 1561 note) after January 1, 2023.

1 **SEC. 543 [Log 73390]. CIVILIAN POSITIONS TO SUPPORT**
2 **SPECIAL VICTIMS' COUNSEL.**

3 (a) CIVILIAN SUPPORT POSITIONS.—Each Secretary
4 of a military department may establish one or more civil-
5 ian positions within each office of the Special Victims'
6 Counsel under the jurisdiction of such Secretary.

7 (b) DUTIES.—The duties of each position under sub-
8 section (a) shall be—

9 (1) to provide support to Special Victims' Coun-
10 sel, including legal, paralegal, and administrative
11 support; and

12 (2) to ensure the continuity of legal services
13 and the preservation institutional knowledge in the
14 provision of victim legal services notwithstanding
15 transitions in the military personnel assigned to of-
16 fices of the Special Victims' Counsel.

17 (c) SPECIAL VICTIMS' COUNSEL DEFINED.—In this
18 section, the term “Special Victims' Counsel” means Spe-
19 cial Victims' Counsel described in section 1044e of title
20 10, United States Code, and in the case of the Navy and
21 Marine Corps, includes counsel designated as “Victims'
22 Legal Counsel”.

1 **Subtitle F—Member Education,**
2 **Training, and Transition**

3 **SEC. 551 [log73053]. DEFENSE LANGUAGE INSTITUTE FOR-**
4 **EIGN LANGUAGE CENTER.**

5 (a) AUTHORITY TO AWARD BACHELOR’S DE-
6 GREES.—Section 2168 of title 10, United States Code, is
7 amended—

8 (1) in the section heading, by striking “**Asso-**
9 **ciate**” and inserting “**Associate or Bachelor**”;
10 and

11 (2) by amending subsection (a) to read as fol-
12 lows:

13 “(a) Subject to subsection (b), the Commandant of
14 the Defense Language Institute may confer—

15 “(1) an Associate of Arts degree in a foreign
16 language upon any graduate of the Foreign Lan-
17 guage Center of the Institute who fulfills the re-
18 quirements for that degree; or

19 “(2) a Bachelor of Arts degree in a foreign lan-
20 guage upon any graduate of the Foreign Language
21 Center of the Institute who fulfills the requirements
22 for that degree.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of chapter 108 of title 10, United States

- 1 Code, is amended by striking the item relating to section
- 2 2168 and inserting the following new item:

“2168. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.”.

1 **SEC. 552 [Log 73460]. UNITED STATES NAVAL COMMUNITY**
2 **COLLEGE.**

3 (a) ESTABLISHMENT.—Chapter 859 of title 10,
4 United States Code, is amended by adding at the end the
5 following new section:

6 **“§ 8595. United States Naval Community College: es-**
7 **tablishment and degree granting author-**
8 **ity**

9 “(a) ESTABLISHMENT AND FUNCTION.—There is a
10 United States Naval Community College. The primary
11 function of such College shall be to provide—

12 “(1) programs of academic instruction and pro-
13 fessional and technical education for individuals de-
14 scribed in subsection (b) in—

15 “(A) academic and technical fields of the
16 liberal arts and sciences which are relevant to
17 the current and future needs of the Navy and
18 Marine Corps; and

19 “(B) their practical duties;

20 “(2) remedial, developmental, or continuing
21 education programs, as prescribed by the Secretary
22 of the Navy, which are necessary to support, main-
23 tain, or extend programs under paragraph (1);

24 “(3) support and advisement services for indi-
25 viduals pursuing such programs; and

1 “(4) continuous monitoring of the progress of
2 such individuals.

3 “(b) INDIVIDUALS ELIGIBLE FOR PROGRAMS.—Sub-
4 ject to such other eligibility requirements as the Secretary
5 of the Navy may prescribe, the following individuals are
6 eligible to participate in programs and services under sub-
7 section (a):

8 “(1) Enlisted members of the Navy and Marine
9 Corps.

10 “(2) Officers of the Navy and Marine Corps
11 who hold a commission but have not completed a
12 postsecondary degree.

13 “(3) Civilian employees of the Department of
14 the Navy.

15 “(4) Other individuals, as determined by the
16 Secretary of the Navy, so long as access to programs
17 and services under subsection (a) by such individuals
18 is—

19 “(A) in alignment with the mission of the
20 United States Naval Community College; and

21 “(B) determined to support the mission or
22 needs of the Department of the Navy.

23 “(c) DEGREE AND CREDENTIAL GRANTING AUTHOR-
24 ITY.—

1 “(1) IN GENERAL.—Under regulations pre-
2 scribed by the Secretary of the Navy, the head of
3 the United States Naval Community College may,
4 upon the recommendation of the directors and fac-
5 ulty of the College, confer appropriate degrees or
6 academic credentials upon graduates who meet the
7 degree or credential requirements.

8 “(2) LIMITATION.—A degree or credential may
9 not be conferred under this subsection unless—

10 “(A) the Secretary of Education has rec-
11 ommended approval of the degree or credential
12 in accordance with the Federal Policy Gov-
13 erning Granting of Academic Degrees by Fed-
14 eral Agencies; and

15 “(B) the United States Naval Community
16 College is accredited by the appropriate civilian
17 academic accrediting agency or organization to
18 award the degree or credential, as determined
19 by the Secretary of Education.

20 “(3) CONGRESSIONAL NOTIFICATION REQUIRE-
21 MENTS.—

22 “(A) When seeking to establish degree or
23 credential granting authority under this sub-
24 section, the Secretary of Defense shall submit

1 to the Committees on Armed Services of the
2 Senate and House of Representatives—

3 “(i) a copy of the self assessment
4 questionnaire required by the Federal Pol-
5 icy Governing Granting of Academic De-
6 grees by Federal Agencies, at the time the
7 assessment is submitted to the Department
8 of Education’s National Advisory Com-
9 mittee on Institutional Quality and Integ-
10 rity; and

11 “(ii) the subsequent recommendations
12 and rationale of the Secretary of Edu-
13 cation regarding the establishment of the
14 degree or credential granting authority.

15 “(B) Upon any modification or redesigna-
16 tion of existing degree or credential granting
17 authority, the Secretary of Defense shall submit
18 to the Committees on Armed Services of the
19 Senate and House of Representatives a report
20 containing the rationale for the proposed modi-
21 fication or redesignation and any subsequent
22 recommendation of the Secretary of Education
23 on the proposed modification or redesignation.

24 “(C) The Secretary of Defense shall sub-
25 mit to the Committees on Armed Services of

1 the Senate and House of Representatives a re-
2 port containing an explanation of any action by
3 the appropriate academic accrediting agency or
4 organization not to accredit the United States
5 Naval Community College to award any new or
6 existing degree or credential.

7 “(d) CIVILIAN FAULTY MEMBERS.—

8 “(1) AUTHORITY OF SECRETARY.—The Sec-
9 retary of the Navy may employ as many civilians as
10 professors, instructors, and lecturers at the United
11 States Naval Community College as the Secretary
12 considers necessary.

13 “(2) COMPENSATION.—The compensation of
14 persons employed under this subsection shall be pre-
15 scribed by the Secretary of the Navy.”

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of chapter 859 of title 10, United States
18 Code, is amended by adding at the end the following new
19 item:

“8595. United States Naval Community College: establishment and degree
granting authority.”

1 **SEC. 553 [log73080]. CODIFICATION OF ESTABLISHMENT OF**
2 **UNITED STATES AIR FORCE INSTITUTE OF**
3 **TECHNOLOGY.**

4 (a) IN GENERAL.—Chapter 951 of title 10, United
5 States Code, is amended by inserting before section 9414
6 the following new section:

7 **“§ 9413. United States Air Force Institute of Tech-**
8 **nology: establishment**

9 “There is in the Department of the Air Force a
10 United States Air Force Institute of Technology, the pur-
11 poses of which are to perform research and to provide,
12 to members of the Air Force and Space Force (including
13 the reserve components) and civilian employees of such
14 Department, advanced instruction and technical education
15 regarding their duties.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of such chapter is amended by inserting,
18 before the item relating to section 9414, the following new
19 item:

“9413. United States Air Force Institute of Technology: establishment.”.

1 **SEC. 554 [log73397]. CLARIFICATION AND EXPANSION OF**
2 **PROHIBITION ON GENDER-SEGREGATED**
3 **TRAINING IN THE MARINE CORPS.**

4 Section 565 of the National Defense Authorization
5 Act for Fiscal Year 2020 (10 U.S.C. 8431 note prec.) is
6 amended—

7 (1) in the heading, by inserting “**AND OFFI-**
8 **CER CANDIDATES SCHOOL**” after “**DEPOTS**”;

9 (2) in subsection (a)(1)—

10 (A) by striking “training” and inserting
11 “no training platoon” ; and

12 (B) by striking “not”;

13 (3) in subsection (b)(1)—

14 (A) by striking “training” and inserting
15 “no training platoon” ; and

16 (B) by striking “not”; and

17 (4) by adding at the end the following new sub-
18 sections:

19 “(c) **NEW LOCATION.**—No training platoon at a Ma-
20 rine Corps recruit depot established after the date of the
21 enactment of this Act may be segregated based on gender.

22 “(d) **OFFICER CANDIDATES SCHOOL.**—

23 “(1) **PROHIBITION.**—Subject to paragraph (2),
24 training at Officer Candidates School, Quantico, Vir-
25 ginia, may not be segregated based on gender.

1 “(2) DEADLINE.—The Commandant of the Ma-
2 rine Corps shall carry out this subsection not later
3 than five years after the date of the enactment of
4 this Act.”.

1 **SEC. 555 [log73393]. PROFESSIONAL MILITARY EDUCATION:**
2 **REPORT; DEFINITION.**

3 (a) REPORT.—

4 (1) IN GENERAL.—Not later than July 1, 2022,
5 the Secretary of Defense, in consultation with the
6 Chairman of the Joint Chiefs of Staff, shall submit
7 to the Committees on Armed Services of the Senate
8 and the House of Representatives a report setting
9 forth the results of a review and assessment of the
10 definition of professional military education in the
11 Department of Defense and the military depart-
12 ments as specified in subsection (c).

13 (2) ELEMENTS.—The report under this sub-
14 section shall include the following elements:

15 (A) A consolidated summary of all defini-
16 tions of the term “professional military edu-
17 cation” used in the Department of Defense and
18 the military departments.

19 (B) A description of how such term is used
20 in the Department of Defense in educational in-
21 stitutions, associated schools, programs, think
22 tanks, research centers, and support activities.

23 (C) An analysis of how such term—

24 (i) applies to tactical, operational, and
25 strategic settings; and

26 (ii) is linked to mission requirements.

1 (D) An analysis of how professional mili-
2 tary education has been applied and linked
3 through all levels of Department of Defense
4 education and training.

5 (E) The applicability of professional mili-
6 tary education to the domains of warfare, in-
7 cluding land, air, sea, space, and cyber.

8 (F) With regards to online and virtual
9 learning in professional military education—

10 (i) an analysis of the use of such
11 learning; and

12 (ii) student satisfaction in comparison
13 to traditional classroom learning.

14 (b) DEFINITION.—Not later than one year after the
15 date of the enactment of this Act, the Secretary of De-
16 fense, in coordination with the Chairman of the Joint
17 Chiefs of Staff and the Secretaries of the military depart-
18 ments, using the report under subsection (a), shall stand-
19 ardize the definition of “professional military education”
20 across the military departments and the Department of
21 Defense.

1 **Subtitle G—Military Family Readiness and Dependents’ Education**

2 **SEC. 561 [log73396]. ESTABLISHMENT OF EXCEPTIONAL**
3 **FAMILY MEMBER PROGRAM ADVISORY COUN-**
4 **CIL.**

5
6 (a) ESTABLISHMENT.—Chapter 7 of title 10, United
7 States Code, is amended by inserting before section 187
8 the following new section 186:

9 **“§ 186. Exceptional Family Member Program Advi-**
10 **sory Council**

11 “(a) ESTABLISHMENT.—There is an Exceptional
12 Family Member Program Advisory Council in the Depart-
13 ment of Defense (in this section referred to as the ‘Coun-
14 cil’).

15 “(b) PURPOSE.—The Council shall provide, to the
16 Secretary and the chiefs of the covered armed forces, rec-
17 ommendations regarding how to improve the Exceptional
18 Family Member Program. The Council shall provide such
19 recommendations not less than once every six months.

20 “(c) COMPOSITION.—The Council shall be composed
21 of the following:

22 “(1) One member of each covered armed
23 force—

24 “(A) serving on active duty;

25 “(B) who has a dependent—

1 “(i) enrolled in the Exceptional Fam-
2 ily Member Program; and

3 “(ii) with an individualized education
4 program; and

5 “(C) appointed by the Vice Chief of Staff
6 of the covered armed force concerned.

7 “(2) Two military spouses—

8 “(A) of members eligible to be appointed
9 under paragraph (1);

10 “(B) who are not civilian employees of the
11 Department of Defense;

12 “(C) one of whom is married to an enlisted
13 member and one of whom is married to an offi-
14 cer; and

15 “(D) appointed by the Vice Chief of Staff
16 of the covered armed force concerned.

17 “(3) One adult dependent—

18 “(A) enrolled in the Exceptional Family
19 Member Program; and

20 “(B) appointed by the Vice Chief of Staff
21 of the covered armed force concerned.

22 “(4) One representative of the Exceptional
23 Family Member Program Coalition.

24 “(5) One member of the Defense Health Agen-
25 cy.

1 “(6) One member of the Department of De-
2 fense Education Activity.

3 “(7) One member of the Office of Special
4 Needs.

5 “(d) APPOINTMENTS.—In making appointments
6 under subsection (c), the Vice Chief of Staff of the covered
7 armed force concerned shall seek to represent the diversity
8 of the disability community.

9 “(e) TERMS.—Each member of the Council shall
10 serve a term of two years, except one of the original mem-
11 bers appointed under subsection (c)(2), selected by the
12 Secretary of Defense at the time of appointment, one shall
13 be appointed for a term of three years.

14 “(f) MEETINGS.—The Council shall meet at least
15 once every calendar quarter, in person or by teleconfer-
16 ence.

17 “(g) COVERED ARMED FORCE DEFINED.—In this
18 section, the term ‘covered armed force’ means an armed
19 force under the jurisdiction of the Secretary of a military
20 department.”.

21 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

22 (1) TABLE OF SECTIONS.—The table of sections
23 at the beginning of such chapter is amended by in-
24 serting before the item relating to section 187 the
25 following new item:

“186. Exceptional Family Member Program Advisory Council.”.

1 (2) TERMINATION OF ADVISORY PANEL ON
2 COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH
3 SPECIAL NEEDS.—Section 563 of the National De-
4 fense Authorization Act for Fiscal Year 2010 (Pub-
5 lic Law 111–84; 10 U.S.C. 1781e note) is amended
6 by striking subsection (d).

1 **SEC. 562 [log73342]. CLARIFICATION OF QUALIFICATIONS**
2 **FOR ATTORNEYS WHO PROVIDE LEGAL SERV-**
3 **ICES TO FAMILIES ENROLLED IN THE EXCEP-**
4 **TIONAL FAMILY MEMBER PROGRAM.**

5 Section 582(b)(7) of the William M. (Mac) Thorn-
6 berry National Defense Authorization Act for Fiscal Year
7 2021 (Public Law 116–283) is amended, in the matter
8 preceding subparagraph (A), by striking “in education
9 law” and inserting “and with experience in the practice
10 of education law in the State in which the military installa-
11 tion is located (and any other State or States in which
12 a significant portion of the personnel assigned to such
13 military installation reside)”.

1 **SEC. 563 [log73410]. REPORT ON PRESERVATION OF THE**
2 **FORCE AND FAMILY PROGRAM OF UNITED**
3 **STATES SPECIAL OPERATIONS COMMAND.**

4 (a) REPORT REQUIRED.—Not later than 180 days
5 after the date of the enactment of this Act, the Com-
6 mander of United States Special Operations Command
7 shall submit to the congressional defense committees a re-
8 port on POTFF.

9 (b) ELEMENTS.—The report under this section shall
10 include the following:

11 (1) An assessment of the human performance
12 domain of current programs and activities, includ-
13 ing—

14 (A) physical conditioning;

15 (B) exercise physiology;

16 (C) kinesiology;

17 (D) nutrition guidance;

18 (E) rehabilitative support (including phys-
19 ical therapy); and

20 (F) mental skills training (including sports
21 psychology).

22 (2) A description of efforts of the Commander
23 to assess the unique needs of members of special op-
24 erations forces, including women and minorities.

25 (3) An assessment of the effectiveness of
26 POTFF in addressing such unique needs.

1 (4) Plans of the Commander to improve
2 POTFF to better address such unique needs.

3 (c) DEFINITIONS.—In this section:

4 (1) The term “POTFF” means the Preserva-
5 tion of the Force and Family Program of United
6 States Special Operations Command under section
7 1788a of title 10, United States Code.

8 (2) The term “special operations forces” means
9 the forces described in section 167(j) of title 10,
10 United States Code.

1 **SEC. 564 [log73280]. GAO REVIEW OF PRESERVATION OF**
2 **THE FORCE AND FAMILY PROGRAM OF**
3 **UNITED STATES SPECIAL OPERATIONS COM-**
4 **MAND.**

5 (a) REVIEW.—Not later than April 1, 2022, the
6 Comptroller General of the United States shall conduct
7 a review of POTFF and submit to the appropriate com-
8 mittees a report containing the results of such review.

9 (b) ELEMENTS.—The report under this section shall
10 include the following:

11 (1) An assessment of the sufficiency of the
12 human performance domain of current programs
13 and activities of POTFF.

14 (2) A description of efforts of the Commander
15 of United States Special Operations Command to as-
16 sess the unique needs of members of special oper-
17 ations forces, including women and minorities.

18 (3) A description of plans of the Commander to
19 improve POTFF to better address the unique needs
20 of members of special operations forces.

21 (4) Changes in costs to the United States to op-
22 erate POTFF since implementation.

23 (5) Rates of participation in POTFF, includ-
24 ing—

25 (A) the number of individuals who partici-
26 pate;

1 (B) frequency of use by such individuals;
2 and

3 (C) geographic locations where such indi-
4 viduals participate.

5 (6) Methods by which data on POTFF is col-
6 lected and analyzed.

7 (7) Outcomes used to determine the effects of
8 POTFF on members of special operations forces and
9 their immediate family members, including a de-
10 scription of the effectiveness of POTFF in address-
11 ing unique needs of such individuals.

12 (c) BRIEFING.—Not later than January 31, 2022,
13 the Comptroller General shall provide to the appropriate
14 committees a briefing on the preliminary findings of the
15 Comptroller General under the review under this section.

16 (d) DEFINITIONS.—In this section:

17 (1) The term “appropriate committees” means
18 the Committees on Armed Services of the Senate
19 and House of Representatives.

20 (2) The term “POTFF” means the Preserva-
21 tion of the Force and Family Program of United
22 States Special Operations Command under section
23 1788a of title 10, United States Code.

1 (3) The term “special operations forces” means
2 the forces described in section 167(j) of title 10,
3 United States Code.

1 **Subtitle H—Diversity and**
2 **Inclusion**

3 **SEC. 571 [log73312]. INFORMATION ON FEMALE AND MINOR-**
4 **ITY PARTICIPATION IN MILITARY SERVICE**
5 **ACADEMIES AND THE SENIOR RESERVE OFFI-**
6 **CERS' TRAINING CORPS.**

7 Section 113 of title 10, United States Code, is
8 amended—

9 (1) in subsection (c)(2), by inserting before the
10 semicolon the following: “, including the status of di-
11 versity and inclusion in the military service acad-
12 emies and the Senior Reserve Officers’ Training
13 Corps programs of such department”;

14 (2) in subsection (l)(2)—

15 (A) in subparagraph (D), by inserting
16 “(including through the military service acad-
17 emies and the Senior Reserve Officers’ Training
18 Corps)” after “into the armed forces”; and

19 (B) in subparagraph (E), by inserting “,
20 attendance at military service academies, and
21 enrollment in the Senior Reserve Officers’
22 Training Corps that” before “is representa-
23 tive”; and

24 (3) in subsection (m)—

1 (A) by redesignating paragraphs (5)
2 through (7) as paragraphs (6) through (8), re-
3 spectively; and

4 (B) by inserting after paragraph (4) the
5 following new paragraph:

6 “(5) The number of cadets and midshipmen
7 from the Senior Reserve Officers’ Training Corps of
8 each armed force who are expected to be commis-
9 sioned into the armed forces during the fiscal year
10 covered by such report, disaggregated by gender,
11 race, and ethnicity.”.

1 **Subtitle I—Decorations and**
2 **Awards**

3 **SEC. 581 [log73081]. ELIGIBILITY OF VETERANS OF OPER-**
4 **ATION END SWEEP FOR VIETNAM SERVICE**
5 **MEDAL.**

6 The Secretary of the military department concerned
7 may, upon the application of an individual who is a vet-
8 eran who participated in Operation End Sweep, award
9 that individual the Vietnam Service Medal.

1 **SEC. 582 [log73521]. ESTABLISHMENT OF THE ATOMIC VET-**
2 **ERANS SERVICE MEDAL.**

3 (a) SERVICE MEDAL REQUIRED.—The Secretary of
4 Defense shall design and produce a commemorative mili-
5 tary service medal, to be known as the “Atomic Veterans
6 Service Medal”, to honor retired and former members of
7 the Armed Forces who are radiation-exposed veterans (as
8 such term is defined in section 1112(c)(3) of title 38,
9 United States Code).

10 (b) DISTRIBUTION OF MEDAL.—

11 (1) ISSUANCE TO RETIRED AND FORMER MEM-
12 BERS.—At the request of a radiation-exposed vet-
13 eran, the Secretary of Defense shall issue the Atom-
14 ic Veterans Service Medal to the veteran.

15 (2) ISSUANCE TO NEXT-OF-KIN.—In the case of
16 a radiation-exposed veteran who is deceased, the
17 Secretary may provide for issuance of the Atomic
18 Veterans Service Medal to the next-of-kin of the per-
19 son.

20 (3) APPLICATION.—The Secretary shall prepare
21 and disseminate as appropriate an application by
22 which radiation-exposed veterans and their next-of-
23 kin may apply to receive the Atomic Veterans Serv-
24 ice Medal.

1 **Subtitle J—Miscellaneous Reports**
2 **and Other Matters**

3 **SEC. 591 [log72921]. REPORTS ON MISCONDUCT BY MEM-**
4 **BERS OF SPECIAL OPERATIONS FORCES.**

5 (a) REPORT REQUIRED.—Not later than 180 days
6 after the date of the enactment of this Act, and every six
7 months thereafter for five years, the Assistant Secretary
8 of Defense for Special Operations and Low Intensity Con-
9 flict shall submit to the Committees on Armed Services
10 of the Senate and House of Representatives a report re-
11 garding misconduct by members of special operations
12 forces during the six months preceding the date of such
13 report.

14 (b) SPECIAL OPERATIONS FORCES DEFINED.—In
15 this section, the term “special operations forces” means
16 forces described in section 167(j) of title 10, United States
17 Code.

1 **SEC. 592 [log73249]. UPDATES AND PRESERVATION OF ME-**
2 **MORIALS TO CHAPLAINS AT ARLINGTON NA-**
3 **TIONAL CEMETERY.**

4 (a) UPDATES AND PRESERVATION OF MEMORIALS.—

5 (1) PROTESTANT CHAPLAINS MEMORIAL.—The
6 Secretary of the Army may permit NCMAF—

7 (A) to modify the memorial to Protestant
8 chaplains located on Chaplains Hill to include a
9 granite, marble, or other stone base for the
10 bronze plaque of the memorial;

11 (B) to add an additional plaque to the
12 stone base added pursuant to subparagraph (A)
13 to include the name of each chaplain, verified
14 as described in subsection (b), who died while
15 serving on active duty in the Armed Forces
16 after the date on which the original memorial
17 was placed; and

18 (C) to make such other updates and cor-
19 rections to the memorial that may be needed as
20 determined by the Secretary.

21 (2) CATHOLIC AND JEWISH CHAPLAIN MEMO-
22 RIALS.—The Secretary of the Army may permit
23 NCMAF to update and make corrections to the
24 Catholic and Jewish chaplain memorials located on
25 Chaplains Hill that may be needed as determined by
26 the Secretary.

1 (3) NO COST TO FEDERAL GOVERNMENT.—The
2 activities of NCMAF authorized by this subsection
3 shall be carried out at no cost to the Federal Gov-
4 ernment.

5 (b) VERIFICATION OF NAMES.—NCMAF may not in-
6 clude the name of a chaplain on a memorial on Chaplains
7 Hill under subsection (a) unless that name has been
8 verified by the Chief of Chaplains of the Army, Navy, or
9 Air Force or the Chaplain of the United States Marine
10 Corps, depending on the branch of the Armed Forces in
11 which the chaplain served.

12 (c) PROHIBITION ON EXPANSION OF MEMORIALS.—
13 Except as provided in subsection (a)(1)(A), this section
14 may not be construed as authorizing the expansion of any
15 memorial that is located on Chaplains Hill as of the date
16 of the enactment of this Act.

17 (d) DEFINITIONS.—In this section:

18 (1) The term “Chaplains Hill” means the area
19 in Arlington National Cemetery that, as of the date
20 of the enactment of this Act, is generally identified
21 and recognized as Chaplains Hill.

22 (2) The term “NCMAF” means the National
23 Conference on Ministry to the Armed Forces or any
24 successor organization recognized in law for pur-
25 poses of the operation of this section.

1 **Subtitle A—Pay and Allowances**

2 **SEC. 601 [log73055]. BASIC NEEDS ALLOWANCE FOR LOW-IN-** 3 **COME REGULAR MEMBERS.**

4 (a) IN GENERAL.—Chapter 7 of title 37, United
5 States Code, is amended by inserting after section 402a
6 the following new section:

7 **“§ 402b. Basic needs allowance for low-income reg-** 8 **ular members**

9 “(a) ALLOWANCE REQUIRED.—(1) Subject to para-
10 graph (2), the Secretary of Defense shall pay to each cov-
11 ered member a basic needs allowance in the amount deter-
12 mined for such member under subsection (b).

13 “(2) In the event a household contains two or more
14 covered members entitled to receive the allowance under
15 this section in a given year, only one allowance may be
16 paid for that year to a covered member among such cov-
17 ered members whom such covered members shall jointly
18 elect.

19 “(b) AMOUNT OF ALLOWANCE FOR A COVERED
20 MEMBER.—(1) The amount of the monthly allowance pay-
21 able to a covered member under subsection (a) for a year
22 shall be the aggregate amount equal to—

23 “(A) the aggregate amount equal to—

24 “(i) 130 percent of the Federal poverty guide-
25 lines of the Department of Health and Human Serv-

1 ices for the location and number of persons in the
2 household of the covered member for such year;
3 minus

4 “(ii) the gross household income of the covered
5 member during the preceding year; and

6 “(B) divided by 12.

7 “(2) The monthly allowance payable to a covered
8 member for a year shall be payable for each of the 12
9 months following March of such year.

10 “(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than
11 December 31 each year, the Director of the Defense Fi-
12 nance and Accounting Service shall notify, in writing, each
13 individual whom the Director estimates will be a covered
14 member during the following year of the potential entitle-
15 ment of that individual to the allowance described in sub-
16 section (a) for that following year.

17 “(B) The preliminary notice under subparagraph (A)
18 shall include information regarding financial management
19 and assistance programs administered by the Secretary of
20 Defense for which a covered member is eligible.

21 “(2) Not later than January 31 each year, each indi-
22 vidual who seeks to receive the allowance for such year
23 (whether or not subject to a notice for such year under
24 paragraph (1)) shall submit to the Director such informa-
25 tion as the Director shall require for purposes of this sec-

1 tion in order to determine whether or not such individual
2 is a covered member for such year.

3 “(3) Not later than February 28 each year, the Di-
4 rector shall notify, in writing, each individual the Director
5 determines to be a covered member for such year.

6 “(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1)
7 A covered member otherwise entitled to receive the allow-
8 ance under subsection (a) for a year may elect, in writing,
9 not to receive the allowance for such year. Any election
10 under this subsection shall be effective only for the year
11 for which made. Any election for a year under this sub-
12 section is irrevocable.

13 “(2) A covered member who does not submit informa-
14 tion described in subsection (d)(2) for a year as otherwise
15 required by that subsection shall be deemed to have elect-
16 ed not to receive the allowance for such year.

17 “(e) DEFINITIONS.—In this section:

18 “(1) The term ‘covered member’ means a reg-
19 ular member of an armed force under the jurisdic-
20 tion of the Secretary of a military department—

21 “(A) who has completed initial entry train-
22 ing;

23 “(B) whose gross household income during
24 the most recent year did not exceed an amount
25 equal to 130 percent of the Federal poverty

1 guidelines of the Department of Health and
2 Human Services for the location and number of
3 persons in the household of the covered member
4 for such year; and

5 “(C) who does not elect under subsection
6 (d) not to receive the allowance for such year.

7 “(2) The term ‘gross household income’ of a
8 covered member for a year for purposes of para-
9 graph (1)(B) does not include any basic allowance
10 for housing received by the covered member (and
11 any dependents of the covered member in the house-
12 hold of the covered member) during such year under
13 section 403 of this title.

14 “(f) REGULATIONS.—The Secretary of Defense shall
15 prescribe regulations for the administration of this section.
16 Subject to subsection (e)(2), such regulations shall specify
17 the income to be included in, and excluded from, the gross
18 household income of individuals for purposes of this sec-
19 tion.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 7 of such title is amended by
22 inserting after the item relating to section 402a the fol-
23 lowing new item:

“402b. Basic needs allowance for low-income regular members.”.

1 **SEC. 602 [log73439]. EXPANSIONS OF CERTAIN TRAVEL AND**
2 **TRANSPORTATION AUTHORITIES.**

3 (a) LODGING IN KIND FOR RESERVE COMPONENT
4 MEMBERS PERFORMING TRAINING.—

5 (1) IN GENERAL.—Section 12604 of title 10,
6 United States Code, is amended by adding at the
7 end the following new subsection:

8 “(c) LODGING IN KIND.—(1) In the case of a mem-
9 ber of a reserve component performing active duty for
10 training or inactive-duty training who is not otherwise en-
11 titled to travel and transportation allowances in connec-
12 tion with such duty, the Secretary concerned may reim-
13 burse the member for housing service charge expenses in-
14 curred by the member in occupying transient government
15 housing during the performance of such duty. If transient
16 government housing is unavailable or inadequate, the Sec-
17 retary concerned may provide the member with lodging in
18 kind.

19 “(2) Any payment or other benefit under this sub-
20 section shall be provided in accordance with regulations
21 prescribed by the Secretary concerned.

22 “(3) The Secretary may pay service charge expenses
23 under paragraph (1) and expenses of providing lodging in
24 kind under such paragraph out of funds appropriated for
25 operation and maintenance for the reserve component con-

1 cerned. Use of a Government charge card is authorized
2 for payment of these expenses.

3 “(4) Decisions regarding the availability or adequacy
4 of government housing at a military installation under
5 paragraph (1) shall be made by the installation com-
6 mander.”.

7 (2) CONFORMING AMENDMENT.—Section 474
8 of title 37, United States Code, is amended by strik-
9 ing subsection (i).

10 (b) MANDATORY PET QUARANTINE FEES FOR
11 HOUSEHOLD PETS.—Section 451(b)(8) of title 37, United
12 States Code, is amended by adding at the end the fol-
13 lowing: “Such costs include pet quarantine expenses.”.

14 (c) STUDENT DEPENDENT TRANSPORTATION.—

15 (1) IN GENERAL.—Section 452(b) of title 37,
16 United States Code, is amended by adding at the
17 end the following new paragraphs:

18 “(18) Travel by a dependent child to the United
19 States to obtain formal secondary, undergraduate,
20 graduate, or vocational education, if the permanent
21 duty assignment location of the member of the uni-
22 formed services is outside the continental United
23 States (other than in Alaska or Hawaii).

24 “(19) Travel by a dependent child within the
25 United States to obtain formal secondary, under-

1 graduate, graduate, or vocational education, if the
2 permanent duty assignment location of the member
3 of the uniformed services is in Alaska or Hawaii and
4 the school is located in a State outside of the perma-
5 nent duty assignment location.”.

6 (2) DEFINITIONS.—Section 451 of title 37,
7 United States Code, as amended by subsection (b) of
8 this section, is amended—

9 (A) in subsection (a)(2)(H), by adding at
10 the end the following new clauses:

11 “(vii) Transportation of a dependent
12 child of a member of the uniformed serv-
13 ices to the United States to obtain formal
14 secondary, undergraduate, graduate, or vo-
15 cational education, if the permanent duty
16 assignment location of the member is out-
17 side the continental United States (other
18 than in Alaska or Hawaii).

19 “(viii) Transportation of a dependent
20 child of a member of the uniformed serv-
21 ices within the United States to obtain for-
22 mal secondary, undergraduate, graduate,
23 or vocational education, if the permanent
24 duty assignment location of the member is
25 in Alaska or Hawaii and the school is lo-

1 cated in a State outside of the permanent
2 duty assignment location.”; and

3 (B) in subsection (b), by adding at the end
4 the following new paragraph:

5 “(10)(A) The term ‘permanent duty assignment
6 location’ means—

7 “(i) the official station of a member of the
8 uniformed services; or

9 “(ii) the residence of a dependent of a
10 member of the uniformed services.

11 “(B) As used in subparagraph (A)(ii), the resi-
12 dence of a dependent who is a student not living
13 with the member while at school is the permanent
14 duty assignment location of the dependent student.”.

15 (d) DEPENDENT TRANSPORTATION INCIDENT TO
16 SHIP CONSTRUCTION, INACTIVATION, AND OVER-
17 HAULING.—

18 (1) IN GENERAL.—Section 452 of title 37,
19 United States Code, as amended by subsection (c) of
20 this section, is further amended—

21 (A) in subsection (b), by adding at the end
22 the following new paragraph:

23 “(20) Subject to subsection (i), travel by a de-
24 pendent to a location where a member of the uni-
25 formed services is on permanent duty aboard a ship

1 that is overhauling, inactivating, or under construc-
2 tion.”; and

3 (B) by adding at the end the following new
4 subsection:

5 “(i) DEPENDENT TRANSPORTATION INCIDENT TO
6 SHIP CONSTRUCTION, INACTIVATION, AND OVER-
7 HAULING.—The authority under subsection (a) for travel
8 in connection with circumstances described in subsection
9 (b)(19) shall be subject to the following terms and condi-
10 tions:

11 “(1) The Service member must be permanently
12 assigned to the ship for 31 or more consecutive days
13 to be eligible for allowances, and the transportation
14 allowances accrue on the 31st day and every 60 days
15 thereafter.

16 “(2) Transportation in kind, reimbursement for
17 personally procured transportation, or a monetary
18 allowance for mileage in place of the cost of trans-
19 portation may be provided, in lieu of the member’s
20 entitlement to transportation, for the member’s de-
21 pendents from the location that was the home port
22 of the ship before commencement of overhaul or in-
23 activation to the port of overhaul or inactivation.

24 “(3) The total reimbursement for transpor-
25 tation for the member’s dependents may not exceed

1 the cost of one Government-procured commercial
2 round-trip travel.”.

3 (2) DEFINITIONS.—Section 451(a)(2)(H) of
4 title 37, United States Code, as amended by sub-
5 section (e) of this section, is further amended by
6 adding at the end the following new clause:

7 “(ix) Transportation of a dependent
8 to a location where a member of the uni-
9 formed services is on permanent duty
10 aboard a ship that is overhauling, inac-
11 tivating, or under construction.”.

1 **Subtitle B—Bonuses and Incentive**
2 **Pays**

3 **SEC. 611 [log72838]. ONE-YEAR EXTENSION OF CERTAIN EX-**
4 **PIRING BONUS AND SPECIAL PAY AUTHORI-**
5 **TIES.**

6 (a) AUTHORITIES RELATING TO RESERVE
7 FORCES.—Section 910(g) of title 37, United States Code,
8 relating to income replacement payments for reserve com-
9 ponent members experiencing extended and frequent mo-
10 bilization for active duty service, is amended by striking
11 “December 31, 2021” and inserting “December 31,
12 2022”.

13 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
14 CARE PROFESSIONALS.—The following sections of title
15 10, United States Code, are amended by striking “Decem-
16 ber 31, 2021” and inserting “December 31, 2022”:

17 (1) Section 2130a(a)(1), relating to nurse offi-
18 cer candidate accession program.

19 (2) Section 16302(d), relating to repayment of
20 education loans for certain health professionals who
21 serve in the Selected Reserve.

22 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-
23 CERS.—Section 333(i) of title 37, United States Code, is
24 amended by striking “December 31, 2021” and inserting
25 “December 31, 2022”.

1 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
2 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
3 THORITIES.—The following sections of title 37, United
4 States Code, are amended by striking “December 31,
5 2021” and inserting “December 31, 2022”:

6 (1) Section 331(h), relating to general bonus
7 authority for enlisted members.

8 (2) Section 332(g), relating to general bonus
9 authority for officers.

10 (3) Section 334(i), relating to special aviation
11 incentive pay and bonus authorities for officers.

12 (4) Section 335(k), relating to special bonus
13 and incentive pay authorities for officers in health
14 professions.

15 (5) Section 336(g), relating to contracting
16 bonus for cadets and midshipmen enrolled in the
17 Senior Reserve Officers’ Training Corps.

18 (6) Section 351(h), relating to hazardous duty
19 pay.

20 (7) Section 352(g), relating to assignment pay
21 or special duty pay.

22 (8) Section 353(i), relating to skill incentive
23 pay or proficiency bonus.

1 (9) Section 355(h), relating to retention incen-
2 tives for members qualified in critical military skills
3 or assigned to high priority units.

4 (e) **AUTHORITY TO PROVIDE TEMPORARY INCREASE**
5 **IN RATES OF BASIC ALLOWANCE FOR HOUSING.**—Section
6 403(b)(7)(E) of title 37, United States Code, is amended
7 by striking “December 31, 2021” and inserting “Decem-
8 ber 31, 2022”.

1 **Subtitle C—Family and Survivor**
2 **Benefits**

3 **SEC. 621 [log73077]. EXPANSION OF PARENTAL LEAVE FOR**
4 **MEMBERS OF THE ARMED FORCES.**

5 (a) EXPANSION.—Section 701 of title 10, United
6 States Code, is amended—

7 (1) in subsection (i)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A), by striking
10 “twelve weeks” and inserting “18 weeks”;

11 (ii) in subparagraph (B), by striking
12 “six weeks” and inserting “12 weeks”; and

13 (iii) by adding at the end the fol-
14 lowing new subparagraph:

15 “(C) Under the regulations prescribed for purposes
16 of this subsection, a member of the armed forces described
17 in paragraph (2) who is the primary caregiver in the case
18 of a long-term placement of a foster child is allowed up
19 to 12 weeks of total leave to be used in connection with
20 such placement, subject to limits as determined by the
21 Secretary regarding—

22 “(i) the total number of times that a member
23 of the armed forces may use leave under this section
24 with respect to the placement of a foster child; and

1 “(ii) the frequency with which a member of the
2 armed forces may use leave under this section with
3 respect to the placement of a foster child.”;

4 (B) in paragraph (5), by striking “birth or
5 adoption” and inserting “birth, adoption, or
6 foster child placement”; and

7 (C) in paragraph (6)(A), by striking “birth
8 or adoption” and inserting “birth, adoption, or
9 foster child placement”;

10 (2) in subsection (j)—

11 (A) in paragraph (1), by striking “21
12 days” and inserting “12 weeks”;

13 (B) by redesignating paragraphs (2)
14 through (4) as paragraphs (3) through (5), re-
15 spectively;

16 (C) by inserting, after paragraph (1), the
17 following new paragraph (2):

18 “(2) Under the regulations prescribed for purposes
19 of this subsection, a member of the armed forces described
20 in subsection (i)(2) who is the secondary caregiver in the
21 case of a long-term placement of a foster child is allowed
22 up to 12 weeks of total leave to be used in connection
23 with such placement, subject to limits as determined by
24 the Secretary regarding—

1 “(A) the total number of times that a member
2 of the armed forces may use leave under this section
3 with respect to the placement of a foster child; and

4 “(B) the frequency with which a member of the
5 armed forces may use leave under this section with
6 respect to the placement of a foster child.”;

7 (D) in paragraph (4), as redesignated, by
8 striking “only in one increment in connection
9 with such birth or adoption” and inserting “in
10 more than one increment in connection with
11 such birth, adoption, or foster child placement
12 in accordance with regulations prescribed by the
13 Secretary of Defense”; and

14 (E) by adding at the end the following new
15 paragraph (6):

16 “(6) Under regulations prescribed for purposes of
17 this subsection, the Secretary shall provide a member of
18 the armed forces described in subsection (i)(2), who would
19 have been a secondary caregiver but for a miscarriage,
20 stillbirth, or infant death, with leave—

21 “(A) in addition to leave under subsection (a);
22 and

23 “(B) not to exceed the amount of leave under
24 paragraph (1).”;

1 (3) in subsection (l), by inserting “ordered to
2 temporary duty overnight travel, or ordered to par-
3 ticipate in physically demanding field training exer-
4 cises,” before “during”; and

5 (4) by adding at the end the following new sub-
6 section (m):

7 “(m) A member of the armed forces who gives birth
8 while on active duty may be required to meet body com-
9 position standards or pass a physical fitness test during
10 the period of 12 months beginning on the date of such
11 birth only with the approval of a health care provider em-
12 ployed at a military medical treatment facility and—

13 “(1) at the election of such member; or

14 “(2) in the interest of national security, as de-
15 termined by the Secretary of Defense.”.

16 (b) REGULATIONS; GUIDANCE AND POLICIES.—

17 (1) REGULATIONS.—The Secretary of Defense
18 shall prescribe regulations—

19 (A) for leave under subsection (i)(1)(C)
20 and subsection (j)(2) of section 701 of title 10,
21 United States Code, as amended by subsection
22 (a), not later than one year after the date of
23 the enactment of this Act;

24 (B) that establish leave, consistent across
25 the Armed Forces, under subsection (j)(6) of

1 such section not later than one year after the
2 date of the enactment of this Act; and

3 (C) that establish convalescent leave, con-
4 sistent across the Armed Forces, under sub-
5 section (i)(1) of such section not later than 180
6 days after the date of the enactment of this
7 Act.

8 (2) GUIDANCE AND POLICIES.—Each Secretary
9 of a military department shall prescribe—

10 (A) policies to establish the maximum
11 amount of leave under subsection (i)(1) of sec-
12 tion 701 of title 10, United States Code, as
13 amended by subsection (a), not later than one
14 year after the date of the enactment of this Act;

15 (B) policies to implement leave under sub-
16 section (i)(5) or (j)(4) of such section not later
17 than 180 days after the date of the enactment
18 of this Act;

19 (C) policies to implement not less than 21
20 days of leave pursuant to regulations prescribed
21 under paragraphs (1) and (2) of subsection (j)
22 of such section not later than one year after the
23 date of the enactment of this Act; and

24 (D) policies to implement the maximum
25 amount of leave pursuant to regulations pre-

1 scribed under paragraphs (1) and (2) of sub-
2 section (j) of such section not later than five
3 years after the date of the enactment of this
4 Act.

5 (c) REPORTING.—Not later than January 1, 2023,
6 and annually thereafter, each Secretary of a military de-
7 partment shall submit to the appropriate congressional
8 committees a report containing the following:

9 (1) The use, during the preceding fiscal year, of
10 leave under subsections (i) and (j) of section 701 of
11 title 10, United States Code, as amended by sub-
12 section (a), disaggregated by births, adoptions, and
13 foster placements, including—

14 (A) the number of members in each Armed
15 Force under the jurisdiction of the Secretary
16 who became primary caregivers;

17 (B) the number of members in each Armed
18 Force under the jurisdiction of the Secretary
19 who became secondary caregivers;

20 (C) the number of primary caregivers who
21 used primary caregiver leave;

22 (D) the number of secondary caregivers
23 who used secondary caregiver leave;

1 (E) the number of primary caregivers who
2 used the maximum amount of primary caregiver
3 leave;

4 (F) the number of secondary caregivers
5 who used the maximum amount of secondary
6 caregiver leave;

7 (G) the number of primary caregivers who
8 utilized primary caregiver leave in multiple in-
9 crements;

10 (H) the number of secondary caregivers
11 who utilized primary caregiver leave in multiple
12 increments;

13 (I) the median duration of primary care-
14 giver leave used by primary caregivers;

15 (J) the median duration of secondary care-
16 giver leave used by secondary caregivers; and

17 (K) other information the Secretary deter-
18 mines appropriate.

19 (2) An analysis of the effect of leave described
20 in paragraph (1) on—

21 (A) readiness; and

22 (B) retention.

23 (3) Any actions taken by the Secretary to miti-
24 gate negative effects described in paragraph (2).

1 (4) The number of members deployed under
2 each paragraph of subsection (l) of section 701 of
3 title 10, United States Code, as amended by sub-
4 section (a).

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

8 (1) The Committee on Armed Services of the
9 House of Representatives.

10 (2) The Committee on Armed Services of the
11 Senate.

12 (3) The Committee on Transportation and In-
13 frastructure of the House of Representatives.

14 (4) The Committee on Commerce, Science, and
15 Transportation of the Senate.

1 **SEC. 622 [log73398]. TRANSITIONAL COMPENSATION AND**
2 **BENEFITS FOR THE FORMER SPOUSE OF A**
3 **MEMBER OF THE ARMED FORCES WHO AL-**
4 **LEGEDLY COMMITTED A DEPENDENT-ABUSE**
5 **OFFENSE DURING MARRIAGE.**

6 (a) IN GENERAL.—Section 1059 of title 10, United
7 States Code, is amended—

8 (1) in the heading—

9 (A) by striking “**separated for**” and in-
10 serting “**who commit**”; and

11 (B) by inserting “**; health care**” after
12 “**exchange benefits**”;

13 (2) in subsection (b)—

14 (A) in the heading, by striking “PUNITIVE
15 AND OTHER ADVERSE ACTIONS COVERED” and
16 inserting “COVERED MEMBERS”;

17 (B) in paragraph (2), by striking “of-
18 fense.” and inserting “offense; or”; and

19 (C) by adding at the end the following new
20 paragraph:

21 “(3) who is not described in paragraph (1) or
22 (2) and whose former spouse alleges that the mem-
23 ber committed a dependent-abuse offense—

24 “(A) during the marriage to the former
25 spouse;

1 “(B) for which the applicable statute of
2 limitations has not lapsed; and

3 “(C) that an incident determination com-
4 mittee determines meets the criteria for
5 abuse.”;

6 (3) in subsection (e)(1)—

7 (A) in subparagraph (A)(ii), by striking “;
8 and” and inserting a semicolon;

9 (B) in subparagraph (B), by striking the
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following new
12 subparagraph:

13 “(C) in the case of a member described in sub-
14 section (b)(3), shall commence upon the date of the
15 final decree of divorce, dissolution, or annulment of
16 that member from the former spouse described in
17 such subsection.”; and

18 (4) by adding at the end the following new sub-
19 section:

20 “(n) HEALTH CARE FOR CERTAIN FORMER
21 SPOUSES.—The Secretary concerned shall treat a former
22 spouse described in subsection (b)(3) as an abused de-
23 pendent described in section 1076(e) of this title.”.

24 (b) TECHNICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 53 of such title is amended

1 by striking the item relating to section 1059 and inserting
2 the following:

“1059. Dependents of members who commit dependent abuse: transitional compensation; commissary and exchange benefits; health care.”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this Act shall apply to a former spouse described in sub-
5 section (b)(3) of such section 1059, as added by subsection
6 (a)(2) of this section, whose final decree of divorce, dis-
7 solution, or annulment described in subsection (e)(1)(C)
8 of such section 1059, as added by subsection (a)(3) of this
9 section, is issued on or after the date of the enactment
10 of this Act.

1 **SEC. 623 [log73187]. EXPANSION OF PILOT PROGRAM TO**
2 **PROVIDE FINANCIAL ASSISTANCE TO MEM-**
3 **BERS OF THE ARMED FORCES FOR IN-HOME**
4 **CHILD CARE.**

5 Section 589(b) of the William M. (Mac) Thornberry
6 National Defense Authorization Act for Fiscal Year 2021
7 (Public Law 116–283) is amended—

8 (1) by inserting “(1)” before “The Secretary”;

9 and

10 (2) by adding at the end the following new
11 paragraph:

12 “(2) The Secretary may carry out the pilot program
13 at other locations the Secretary determines appropriate.”.

1 **SEC. 624 [log72840]. CONTINUATION OF PAID PARENTAL**
2 **LEAVE FOR A MEMBER OF THE ARMED**
3 **FORCES UPON DEATH OF CHILD.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall amend
6 the regulations prescribed pursuant to subsections (i) and
7 (j) of section 701 of title 10, United States Code, to en-
8 sure that paid parental leave that has already been ap-
9 proved for a member of the Armed Forces who is a pri-
10 mary or secondary caregiver (as defined under such regu-
11 lations) may not be terminated upon the death of the child
12 for whom such leave is taken.

1 **SEC. 625 [log73247]. CASUALTY ASSISTANCE PROGRAM: RE-**
2 **FORM; ESTABLISHMENT OF WORKING**
3 **GROUP.**

4 (a) CASUALTY ASSISTANCE REFORM WORKING
5 GROUP.—

6 (1) ESTABLISHMENT.—Not later than 60 days
7 after the date of the enactment of this Act, the Sec-
8 retary of Defense shall establish a working group to
9 be known as the “Casualty Assistance Reform
10 Working Group” (in this section referred to as the
11 “Working Group”).

12 (2) DUTIES.—The Working Group shall per-
13 form the following duties:

14 (A) Create standards and training for
15 CAOs across the military departments.

16 (B) Explore the possibility of establishing
17 a unique badge designation for—

18 (i) CAOs who have performed CAO
19 duty more than five times; or

20 (ii) professional CAOs.

21 (C) Commission a 30-day study that—

22 (i) documents the current workflow of
23 casualty affairs support across the military
24 departments, including administrative
25 processes and survivor engagements; and

1 (ii) performs a gap analysis and solu-
2 tion document that clearly identifies and
3 prioritizes critical changes to modernize
4 and professionalize the casualty experience
5 for survivors.

6 (D) Review the organization of the Office
7 of Casualty, Mortuary Affairs and Military Fu-
8 neral Honors to ensure it is positioned to co-
9 ordinate policy and assist in all matters under
10 its jurisdiction, across the Armed Forces, in-
11 cluding any potential intersections with the De-
12 fense Prisoner of War and Missing in Action
13 Accounting Agency.

14 (E) Explore the establishment of—

15 (i) an annual meeting, led by the Sec-
16 retary of Defense, with gold star families;
17 and

18 (ii) a surviving and gold star family
19 leadership council.

20 (F) Recommend improvements to the fam-
21 ily notification process of Arlington National
22 Cemetery.

23 (G) Explore the redesign of the Days
24 Ahead Binder, including creating an electronic
25 version.

1 (H) Consider the expansion of the DD
2 Form 93 to include more details regarding the
3 last wishes of the deceased member.

4 (I) Assess coordination between the De-
5 partment of Defense and the Office of Sur-
6 vivors Assistance of the Department of Vet-
7 erans Affairs.

8 (3) MEMBERSHIP.—The membership of the
9 Working Group shall be comprised of the following:

10 (A) The Under Secretary of Defense for
11 Personnel and Readiness, who shall serve as
12 Chair of the Working Group.

13 (B) One individual from each Armed
14 Force, appointed by the Secretary of the mili-
15 tary department concerned, who is—

16 (i) a civilian employee in the Senior
17 Executive Service; or

18 (ii) an officer in a grade higher than
19 O-6.

20 (C) One individual from the Joint Staff,
21 appointed by the Secretary of Defense, who
22 is—

23 (i) a civilian employee in the Senior
24 Executive Service; or

1 (ii) an officer in a grade higher than
2 O-6.

3 (D) The Director of the Defense Prisoner
4 of War and Missing in Action Accounting Agen-
5 cy.

6 (E) The Director of the Defense Health
7 Agency (or the designee of such Director).

8 (F) The Chief of Chaplains of each Armed
9 Force.

10 (G) Such other members of the Armed
11 Forces or civilian employees of the Department
12 of Defense whom the Secretary of Defense de-
13 termines to appoint.

14 (4) REPORT.—Not later than September 30,
15 2022, the Working Group shall submit to the Sec-
16 retary of Defense a report containing the determina-
17 tions and recommendations of the Working Group.

18 (5) TERMINATION.—The Working Group shall
19 terminate upon submission of the report under para-
20 graph (4).

21 (b) REPORT REQUIRED.—Not later than November
22 1, 2022, the Secretary of Defense shall submit to the
23 Committees on Armed Services of the Senate and the
24 House of Representatives a report setting forth the results

1 of a review and assessment of the casualty assistance offi-
2 cer program, including the report of the Working Group.

3 (c) ESTABLISHMENT OF CERTAIN DEFINITIONS.—

4 Not later than 90 days after the date of the enactment
5 of this Act, the Secretary of Defense, in coordination with
6 the Secretaries of the military departments, shall prescribe
7 regulations that establish standard definitions, for use
8 across the military departments, of the terms “gold star
9 family” and “gold star survivor”.

10 (d) CAO DEFINED.—In this section, the term
11 “CAO” means a casualty assistance officer of the Armed
12 Forces.

1 **Subtitle D—Defense Resale Matters**

2 **SEC. 631 [log73462]. ADDITIONAL SOURCES OF FUNDS** 3 **AVAILABLE FOR CONSTRUCTION, REPAIR, IM-** 4 **PROVEMENT, AND MAINTENANCE OF COM-** 5 **MISSARY STORES.**

6 Section 2484(h) of title 10, United States Code, is
7 amended—

8 (1) in paragraph (5), by adding at the end the
9 following new subparagraphs:

10 “(F) Amounts made available for any purpose
11 set forth in paragraph (1) pursuant to an agreement
12 with a host nation.

13 “(G) Amounts appropriated for repair or recon-
14 struction of a commissary store in response to a dis-
15 aster or emergency.”; and

16 (2) by adding at the end the following new
17 paragraph:

18 “(6) Revenues made available under paragraph (5)
19 for the purposes set forth in paragraphs (1), (2), and (3)
20 may be supplemented with additional funds derived
21 from—

22 “(A) improved management practices imple-
23 mented pursuant to sections 2481(c)(3), 2485(b),
24 and 2487(c) of this title; and

- 1 “(B) the variable pricing program implemented
- 2 pursuant to subsection (i).”.

1 **Subtitle A—TRICARE and Other**
2 **Health Care Benefits**

3 **SEC. 701 [Log 73258]. IMPROVEMENT OF POSTPARTUM**
4 **CARE FOR CERTAIN MEMBERS OF THE**
5 **ARMED FORCES AND DEPENDENTS.**

6 (a) POSTPARTUM CARE FOR CERTAIN MEMBERS AND
7 DEPENDENTS.—

8 (1) POSTPARTUM CARE.—Chapter 55 of title
9 10, United States Code, is amended by inserting
10 after section 1074o the following new section:

11 **“§ 1074p. Postpartum care for certain members and**
12 **dependents**

13 “(a) POSTPARTUM MENTAL HEALTH ASSESS-
14 MENTS.—(1) At the intervals described in paragraph (2),
15 and upon the consent of the covered individual, the Sec-
16 retary shall furnish to a covered individual postpartum
17 mental health assessments, which shall include screening
18 questions related to postpartum anxiety and postpartum
19 depression.

20 “(2) The intervals described in this subparagraph
21 are, with respect to the date on which the covered indi-
22 vidual gives birth, as follows:

23 “(A) One month after such date.

24 “(B) Two months after such date.

25 “(C) Four months after such date.

1 “(D) Six months after such date.

2 “(3) The Secretary may adjust the intervals de-
3 scribed in paragraph (2) as the Secretary determines ap-
4 propriate, taking into account the recommendations of es-
5 tablished professional medical associations such as the
6 American Academy of Pediatrics.

7 “(4) Postpartum mental health assessments fur-
8 nished under paragraph (1) may be provided concurrently
9 with the well-child visits for the infant of the covered indi-
10 vidual, including with respect to the initial well-child visit
11 specified in subsection (c).

12 “(b) PELVIC HEALTH.—(1) Prior to the initial
13 postpartum discharge of a covered individual from the
14 military medical treatment facility at which the covered
15 individual gave birth, the Secretary shall furnish to the
16 covered individual a medical evaluation for pelvic health.

17 “(2) The Secretary shall ensure that if, as the result
18 of an evaluation furnished pursuant to paragraph (1), the
19 health care provider who provided such evaluation deter-
20 mines that physical therapy for pelvic health (including
21 the pelvic floor) is appropriate, a consultation for such
22 physical therapy is provided upon discharge and in connec-
23 tion with a follow-up appointment of the covered individual
24 for postpartum care that occurs during the period that

1 is six to eight weeks after the date on which the covered
2 individual gives birth.

3 “(3) Consultations offered pursuant to paragraph (2)
4 shall be conducted in-person wherever possible, but if the
5 Secretary determines that a covered individual for whom
6 the consultation is offered is located in a geographic area
7 with an inadequate number of physical therapists or
8 health professionals trained in providing such consulta-
9 tions, the consultation may be provided through a tele-
10 health appointment.

11 “(c) CONCURRENT SCHEDULING OF CERTAIN AP-
12 POINTMENTS.—The Secretary shall ensure that there is
13 provided within each military medical treatment facility an
14 option for any covered individual who has given birth at
15 the facility, and who is eligible to receive care at the facil-
16 ity, to schedule a follow-up appointment for postpartum
17 care of the covered individual that is concurrent with the
18 date of the initial well-child visit for the infant of the cov-
19 ered individual.

20 “(d) DEFINITIONS.—In this section:

21 “(1) The term ‘covered individual’ means a
22 member of the armed forces (including the reserve
23 components) performing active service, or a depend-
24 ent of such member, who is entitled to medical care
25 under this chapter.

1 “(2) The term ‘well-child visit’ means a regu-
2 larly scheduled medical appointment with a pediatri-
3 cian for the general health and development of a
4 child, as recommended by the American Academy of
5 Pediatrics or a similarly established professional
6 medical association.”.

7 (2) CLERICAL AMENDMENT.—The table of sec-
8 tions at the beginning of such chapter is amended
9 by inserting after the item relating to section 1074o
10 the following new item:

 “1074p. Postpartum care for certain members and dependents.”.

11 (3) EFFECTIVE DATE AND APPLICABILITY.—
12 The amendments made by this subsection shall take
13 effect on the date of the enactment of this Act and
14 shall apply with respect to births that occur on or
15 after the date that is six months after the date of
16 the enactment of this Act.

17 (b) STANDARDIZED POLICIES.—Not later than after
18 180 days after the date of the enactment of this Act, the
19 Secretary of Defense shall—

20 (1) develop a standardized policy under which
21 neither a member of the Armed Forces who gives
22 birth while on active duty, nor a member of the re-
23 serve components who gives birth (regardless of
24 whether such birth occurs while the member of the
25 reserve components is performing active service),

1 may be required to take a physical fitness test until
2 the date that is one year after the date on which
3 such member gave birth;

4 (2) develop a standardized policy for
5 postpartum body composition assessments with re-
6 spect to such members; and

7 (3) ensure the policies developed under para-
8 graphs (1) and (2) are implemented uniformly
9 across each of the Armed Forces.

10 (c) PILOT PROGRAM TO STREAMLINE POSTPARTUM
11 APPOINTMENTS.—

12 (1) PILOT PROGRAM.—The Secretary shall
13 carry out a one-year pilot program to further
14 streamline the process of scheduling postpartum ap-
15 pointments at military medical treatment facilities
16 by reducing the number of distinct visits required
17 for such appointments.

18 (2) STREAMLINING OF APPOINTMENTS.—In
19 carrying out the pilot program under paragraph (1),
20 the Secretary shall ensure that there is provided
21 within each military medical treatment facility se-
22 lected under paragraph (3) an option for covered in-
23 dividuals who have recently given birth at the facil-
24 ity, and who are eligible to receive care at the facil-
25 ity, to receive a physical therapy evaluation in con-

1 nection with each appointment provided by the facil-
2 ity for postpartum care of the covered individual or
3 for care of the infant of the covered individual, in-
4 cluding such appointments provided concurrently
5 pursuant to section 1074p(c) of title 10, United 25
6 States Code (as added by subsection (a)).

7 (3) SELECTION.—The Secretary shall select not
8 fewer than three military medical treatment facilities
9 from each military department at which to carry out
10 the pilot program under paragraph (1). In making
11 such selection—

12 (A) the Secretary may not select a military
13 medical treatment facility that already provides
14 covered individuals with the option to receive a
15 physical therapy evaluation as specified in para-
16 graph (2); and

17 (B) the Secretary shall ensure geographic
18 diversity with respect to the location of the mili-
19 tary medical treatment facilities, including by
20 considering for selection military medical treat-
21 ment facilities located outside of the United
22 States.

23 (4) REPORT.—Not later than one year after the
24 commencement of the pilot program under para-
25 graph (1), the Secretary shall submit to the Com-

1 mittees on Armed Services of the House of Rep-
2 representatives and the Senate a report on the effective-
3 ness of the pilot program. Such report shall in-
4 clude—

5 (A) a recommendation by the Secretary on
6 whether to expand or extend the pilot program;
7 and

8 (B) a summary of the findings that led to
9 such recommendation.

10 (5) COVERED INDIVIDUAL DEFINED.—In this
11 subsection, the term “covered individual” has the
12 meaning given such term in section 1074p(d) of title
13 10, United States Code (as added by subsection (a)).

14 (d) PELVIC HEALTH AT MILITARY MEDICAL TREAT-
15 MENT FACILITIES.—The Secretary shall take such steps
16 as are necessary to increase the capacity of military med-
17 ical treatment facilities to provide pelvic health rehabilita-
18 tion services, including by increasing the number of phys-
19 ical therapists employed at such facilities who are trained
20 in pelvic health rehabilitation.

21 (e) REVIEW OF PELVIC HEALTH REHABILITATION
22 PROGRAMS.—

23 (1) REVIEW.—The Secretary shall conduct a re-
24 view of any current pelvic health rehabilitation pro-

1 grams of the Department of Defense, including an
2 evaluation of the outcomes of any such programs.

3 (2) REPORT.—Not later than nine months after
4 the date of the enactment of this Act, the Secretary
5 shall submit to the Committees on Armed Services
6 of the House of Representatives and the Senate a
7 report containing the findings of the review under
8 paragraph (1).

9 (f) GUIDANCE ON OBSTETRIC HEMORRHAGE TREAT-
10 MENT.—Not later than 180 days after the date of the en-
11 actment of this Act, the Secretary shall issue guidance on
12 the development and implementation of standard protocols
13 across the military health system for the treatment of ob-
14 stetric hemorrhages, including through the use of patho-
15 gen reduced resuscitative blood products.

1 **SEC. 702 [Log 73515]. MODIFICATIONS TO PILOT PROGRAM**
2 **ON HEALTH CARE ASSISTANCE SYSTEM.**

3 Section 731(d) of the National Defense Authorization
4 Act for Fiscal Year 2018 (10 U.S.C. 1075 note) is amend-
5 ed—

6 (1) in the matter preceding paragraph (1), by
7 striking “January 1, 2021” and inserting “Novem-
8 ber 1, 2022”;

9 (2) in paragraph (1), by striking “; and” and
10 inserting a semicolon;

11 (3) in paragraph (2), by striking the period and
12 inserting “; and”; and

13 (4) by adding at the end the following new
14 paragraph:

15 “(3) input from covered beneficiaries who have
16 participated in the pilot program regarding their
17 satisfaction with, and any benefits attained from,
18 such participation.”.

1 **Subtitle B—Health Care**
2 **Administration**

3 **SEC. 711 [Log 73341]. AUTHORIZATION OF PROGRAM TO**
4 **PREVENT FRAUD AND ABUSE IN THE MILI-**
5 **TARY HEALTH SYSTEM.**

6 (a) IN GENERAL.—Chapter 55 of title 10, United
7 States Code, is amended by inserting after section 1073e
8 the following new section:

9 **“§ 1073f. Health care fraud and abuse prevention pro-**
10 **gram**

11 “(a) PROGRAM AUTHORIZED.—(1) The Secretary of
12 Defense may carry out a program under this section to
13 prevent and remedy fraud and abuse in the health care
14 programs of the Department of Defense.

15 “(2) At the discretion of the Secretary, such program
16 may be administered jointly by the Inspector General of
17 the Department of Defense and the Director of the De-
18 fense Health Agency.

19 “(3) In carrying out such program, the authorities
20 granted to the Secretary of Defense and the Inspector
21 General of the Department of Defense under section
22 1128A(m) of the Social Security Act (42 U.S.C. 1320a-
23 7a(m)) shall be available to the Secretary and the Inspec-
24 tor General.

1 “(b) CIVIL MONETARY PENALTIES.—(1) Except as
2 provided in paragraph (2), the provisions of section 1128A
3 of the Social Security Act (42 U.S.C. 1320a–7a) shall
4 apply with respect to any civil monetary penalty imposed
5 in carrying out the program authorized under subsection
6 (a).

7 “(2) Consistent with section 1079a of this title,
8 amounts recovered in connection with any such civil mone-
9 tary penalty imposed—

10 “(A) shall be credited to appropriations avail-
11 able as of the time of the collection for expenses of
12 the health care program of the Department of De-
13 fense affected by the fraud and abuse for which such
14 penalty was imposed; and

15 “(B) may be used to support the administration
16 of the program authorized under subsection (a), in-
17 cluding to support any interagency agreements en-
18 tered into under subsection (d).

19 “(c) INTERAGENCY AGREEMENTS.—The Secretary of
20 Defense may enter into agreements with the Secretary of
21 Health and Human Services, the Attorney General, or the
22 heads of other Federal agencies, for the effective and effi-
23 cient implementation of the program authorized under
24 subsection (a).

1 “(d) RULE OF CONSTRUCTION.—Joint administra-
2 tion of the program authorized under subsection (a) may
3 not be construed as limiting the authority of the Inspector
4 General of the Department of Defense under any other
5 provision of law.

6 “(e) FRAUD AND ABUSE DEFINED.—In this section,
7 the term ‘fraud and abuse’ means any conduct specified
8 in subsection (a) or (b) of section 1128A of the Social
9 Security Act (42 U.S.C. 1320a–7a).”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such chapter is amended by inserting
12 after the item relating to section 1073e the following new
13 item:

“1073f. Health care fraud and abuse prevention program.”.

1 **SEC. 712 [Log 73340]. ESTABLISHMENT OF DEPARTMENT OF**
2 **DEFENSE SYSTEM TO TRACK AND RECORD**
3 **INFORMATION ON VACCINE ADMINISTRA-**
4 **TION.**

5 (a) ESTABLISHMENT OF SYSTEM.—Section 1110 of
6 title 10, United States Code, is amended—

7 (1) by redesignating subsections (a) and (b) as
8 subsections (b) and (c), respectively; and

9 (2) by inserting after the heading the following
10 new subsection:

11 “(a) SYSTEM TO TRACK AND RECORD VACCINE IN-
12 FORMATION.—(1) The Secretary of Defense, in coordina-
13 tion with the Secretaries of the military departments, shall
14 establish a system to track and record the following infor-
15 mation:

16 “(A) Each vaccine administered by a health
17 care provider of the Department of Defense to a
18 member of an armed force under the jurisdiction of
19 the Secretary of a military department.

20 “(B) Any adverse reaction of the member re-
21 lated to such vaccine.

22 “(C) Each refusal of a vaccine by such a mem-
23 ber on the basis that the vaccine is being adminis-
24 tered by a health care provider of the Department
25 pursuant to an emergency use authorization granted
26 by the Commissioner of Food and Drugs under sec-

1 tion 564 of the Federal Food, Drug, and Cosmetic
2 Act (21 U.S.C. 360bbb–3).

3 “(2) In carrying out paragraph (1), the Secretary of
4 Defense shall ensure that—

5 “(A) any electronic health record maintained by
6 the Secretary for a member of an armed force under
7 the jurisdiction of the Secretary of a military depart-
8 ment is updated with the information specified in
9 such paragraph with respect to the member; and

10 “(B) any collection, storage, or use of such in-
11 formation is conducted through means involving
12 such cyber protections as the Secretary determines
13 necessary to safeguard the personal information of
14 the member.”.

15 (b) CONFORMING AMENDMENTS.—Such section is
16 further amended—

17 (1) in the heading by striking “**Anthrax vac-**
18 **cine immunization program; procedures**
19 **for exemptions and monitoring reac-**
20 **tions**” and inserting “**System for tracking**
21 **and recording vaccine information; an-**
22 **thrax vaccine immunization program**”;
23 and

1 such members (including with respect to any trans-
2 fers by a non-Department provider to the Depart-
3 ment of vaccination records or other medical infor-
4 mation of the member related to the administration
5 of vaccines by the non-Department provider).

6 (2) The storage of information related to the
7 administration of vaccines in the electronic health
8 records of such members, and the cyber protections
9 involved in such storage, as required under such sec-
10 tion 1110(a)(2) of title 10, United States Code.

11 (3) The general process by which medical infor-
12 mation of beneficiaries under the TRICARE pro-
13 gram is collected, tracked, and recorded, including
14 the process by which medical information from pro-
15 viders contracted by the Department or from a State
16 or local department of health is transferred to the
17 Department and associated with records maintained
18 by the Secretary.

19 (4) Any gaps or challenges relating to the vac-
20 cine administration process of the Department and
21 any legislative or budgetary recommendations to ad-
22 dress such gaps or challenges.

23 (f) DEFINITIONS.—In this section:

1 (1) The term “military departments” has the
2 meaning given such term in section 101 of title 10,
3 United States Code.

4 (2) The term “TRICARE program” has the
5 meaning given such term in section 1072 of such
6 title.

1 **SEC. 713 [Log 73374]. MODIFICATIONS AND REPORT RE-**
2 **LATED TO REDUCTION OR REALIGNMENT OF**
3 **MILITARY MEDICAL MANNING AND MEDICAL**
4 **BILLETS.**

5 (a) MODIFICATIONS TO LIMITATION ON REDUCTION
6 OR REALIGNMENT.—Section 719 of the National Defense
7 Authorization Act for Fiscal Year 2020 (Public Law 116–
8 92; 133 Stat. 1454), as amended by section 717 of the
9 William M. (Mac) Thornberry National Defense Author-
10 ization Act for Fiscal Year 2021 (Public Law 116–283),
11 is further amended—

12 (1) in subsection (a), by striking “180 days fol-
13 lowing the date of the enactment of the William M.
14 (Mac) Thornberry National Defense Authorization
15 Act for Fiscal Year 2021” and inserting “the year
16 following the date of the enactment of the National
17 Defense Authorization Act for Fiscal Year 2022”;
18 and

19 (2) in subsection (b)(1), by inserting “, includ-
20 ing any billet validation requirements determined
21 pursuant to estimates provided in the joint medical
22 estimate under section 732 of the John S. McCain
23 National Defense Authorization Act for Fiscal Year
24 2019 (Public Law 115–232),” after “requirements
25 of the military department of the Secretary”.

1 (b) GAO REPORT ON REDUCTION OR REALIGNMENT
2 OF MILITARY MEDICAL MANNING AND MEDICAL BIL-
3 LETS.—

4 (1) REPORT.—Not later than one year after the
5 date of the enactment of this Act, the Comptroller
6 General of the United States shall submit to the
7 Committees on Armed Services of the House of Rep-
8 resentatives and the Senate a report on the analyses
9 used to support any reduction or realignment of
10 military medical manning, including any reduction
11 or realignment of medical billets of the military de-
12 partments.

13 (2) ELEMENTS.—The report under paragraph
14 (1) shall include the following:

15 (A) An analysis of the use of the joint
16 medical estimate under section 732 of the John
17 S. McCain National Defense Authorization Act
18 for Fiscal Year 2019 (Public Law 115–232;
19 132 Stat. 1817) and wartime scenarios to de-
20 termine military medical manpower require-
21 ments, including with respect to pandemic influ-
22 enza and homeland defense missions.

23 (B) An assessment of whether the Secre-
24 taries of the military departments have used the
25 processes under section 719(b) of the National

1 Defense Authorization Act for Fiscal Year 2020
2 (Public Law 116–92; 133 Stat. 1454) to ensure
3 that a sufficient combination of skills, special-
4 ties, and occupations are validated and filled
5 prior to the transfer of any medical billets of a
6 military department to fill other military med-
7 ical manpower needs.

8 (C) An assessment of the effect of the re-
9 duction or realignment of such billets on local
10 health care networks and whether the Director
11 of the Defense Health Agency has conducted
12 such an assessment in coordination with the
13 Secretaries of the military departments.

1 **SEC. 717 [Log 73377]. STANDARDIZATION OF DEFINITIONS**
2 **USED BY THE DEPARTMENT OF DEFENSE**
3 **FOR TERMS RELATED TO SUICIDE.**

4 (a) STANDARDIZATION OF DEFINITIONS.—Not later
5 than 90 days after the date of the enactment of this Act,
6 the Secretary of Defense, in coordination with the Secre-
7 taries of the military departments, shall develop standard-
8 ized definitions for the following terms:

- 9 (1) “Suicide”.
- 10 (2) “Suicide attempt”.
- 11 (3) “Suicidal ideation”.

12 (b) REQUIRED USE OF STANDARDIZED DEFINI-
13 TIONS.—Not later than 180 days after the date of the en-
14 actment of this Act, the Secretary shall issue policy guid-
15 ance requiring the exclusive and uniform use across the
16 Department of Defense and within each military depart-
17 ment of the standardized definitions developed under sub-
18 section (a) for the terms specified in such subsection.

19 (c) REPORT.—Not later than 180 days after the date
20 of the enactment of this Act, the Secretary shall submit
21 to the Committees on Armed Services of the House of
22 Representatives and the Senate a report that sets forth
23 the standardized definitions developed under subsection
24 (a) and includes—

- 25 (1) a description of the process that was used
26 to develop such definitions;

1 (2) a description of the methods by which data
2 shall be collected on suicide, suicide attempts, and
3 suicidal ideations (as those terms are defined pursu-
4 ant to such definitions) in a standardized format
5 across the Department and within each military de-
6 partment; and

7 (3) an implementation plan to ensure the use of
8 such definitions as required pursuant to subsection
9 (b).

1 **SEC. 732 [Log 73376]. PILOT PROGRAM ON CARDIAC**
2 **SCREENING AT CERTAIN MILITARY SERVICE**
3 **ACADEMIES.**

4 (a) PILOT PROGRAM.—The Secretary of Defense
5 shall establish a pilot program to furnish mandatory elec-
6 trocardiograms to candidates who are seeking admission
7 to a covered military service academy in connection with
8 the military accession screening process, at no cost to such
9 candidates.

10 (b) SCOPE.—The scope of the pilot program under
11 subsection (a) shall include at least 25 percent of the in-
12 coming class of candidates who are seeking admission to
13 a covered military service academy during the first fall se-
14 mester that follows the date of the enactment of this Act,
15 and the pilot program shall terminate on the date on
16 which the Secretary determines the military accession
17 screening process for such class has concluded.

18 (c) FACILITIES.—In carrying out the pilot program
19 under subsection (a), the Secretary shall furnish each
20 mandatory electrocardiogram under the pilot program in
21 a facility of the Department of Defense, to the extent
22 practicable, but may furnish such electrocardiograms in
23 a non-Department facility as determined necessary by the
24 Secretary.

25 (d) REPORT.—Not later than 180 days after the date
26 on which the pilot program under subsection (a) termi-

1 nates, the Secretary shall submit to the Committees on
2 Armed Services of the Senate and the House of Represent-
3 atives a report on the pilot program. Such report shall
4 include the following:

5 (1) The results of all electrocardiograms fur-
6 nished to candidates under the pilot program,
7 disaggregated by military service academy, race, and
8 gender.

9 (2) The rate of significant cardiac issues de-
10 tected pursuant to electrocardiograms furnished
11 under the pilot program, disaggregated by military
12 service academy, race, and gender.

13 (3) The cost of carrying out the pilot program.

14 (4) The number of candidates, if any, who were
15 disqualified from admission based solely on the re-
16 sult of an electrocardiogram furnished under the
17 pilot program.

18 (e) COVERED MILITARY SERVICE ACADEMY DE-
19 FINED.—In this section, the term “covered military serv-
20 ice academy” does not include the United States Coast
21 Guard Academy or the United States Merchant Marine
22 Academy.

1 **SEC. 733 [Log 72954]. INDEPENDENT ANALYSIS OF DEPART-**
2 **MENT OF DEFENSE COMPREHENSIVE AUTISM**
3 **CARE DEMONSTRATION PROGRAM.**

4 (a) AGREEMENT.—

5 (1) IN GENERAL.—The Secretary of Defense
6 shall seek to enter into an agreement with the Na-
7 tional Academies of Sciences, Engineering, and Med-
8 icine (in this section referred to as the “National
9 Academies”) for the National Academies to carry
10 out the activities described in subsections (b) and
11 (c).

12 (2) TIMING.—The Secretary shall seek to enter
13 into the agreement described in paragraph (1) not
14 later than 60 days after the date of the enactment
15 of this Act.

16 (b) ANALYSIS BY THE NATIONAL ACADEMIES.—

17 (1) ANALYSIS.—Under an agreement between
18 the Secretary and the National Academies entered
19 into pursuant to subsection (a), the National Acad-
20 emies shall conduct an analysis of the effectiveness
21 of the Department of Defense Comprehensive Au-
22 tism Care Demonstration program (in this section
23 referred to as the “demonstration program”) and
24 develop recommendations for the Secretary based on
25 such analysis.

1 (2) ELEMENTS.—The analysis conducted and
2 recommendations developed under paragraph (1)
3 shall include the following:

4 (A) An assessment of the Pervasive Devel-
5 opmental Disabilities Behavior Inventory as a
6 measure to assist in the assessment of domains
7 related to autism spectrum disorder, and a de-
8 termination as to whether the Secretary is ap-
9 plying such inventory appropriately under the
10 demonstration project.

11 (B) An assessment of the methods used
12 under the demonstration project to measure the
13 effectiveness of applied behavior analysis in the
14 treatment of autism spectrum disorder.

15 (C) A review of any guidelines or industry
16 standards of care adhered to in the provision of
17 applied behavior analysis services under the
18 demonstration program, including a review of
19 the effects of such adherence with respect to
20 dose-response or expected health outcomes for
21 an individual who has received such services.

22 (D) A review of the expected health out-
23 comes for an individual who has received ap-
24 plied behavior analysis treatments over time.

1 (E) An analysis of the increased utilization
2 of the demonstration program by beneficiaries
3 under the TRICARE program, to improve un-
4 derstanding of such utilization.

5 (F) Such other analyses to measure the ef-
6 fectiveness of the demonstration program as
7 may be determined appropriate by the National
8 Academies.

9 (G) The development of a list of findings
10 and recommendations related to the measure-
11 ment, effectiveness, and increased under-
12 standing of the demonstration program and its
13 effect on beneficiaries under the TRICARE pro-
14 gram.

15 (c) REPORT.—Under an agreement entered into be-
16 tween the Secretary and the National Academies under
17 subsection (a), the National Academies, not later than
18 nine months after the date of the execution of the agree-
19 ment, shall—

20 (1) submit to the congressional defense commit-
21 tees a report on the findings of the National Acad-
22 emies with respect to the analysis conducted and
23 recommendations developed under subsection (b);
24 and

- 1 (2) make such report available on a public
- 2 website in unclassified form.

1 **SEC. 734 [Log 73283]. GAO STUDY ON EXCLUSION OF CER-**
2 **TAIN REMARRIED INDIVIDUALS FROM MED-**
3 **ICAL AND DENTAL COVERAGE UNDER**
4 **TRICARE PROGRAM.**

5 (a) GAO STUDY.—

6 (1) STUDY.—The Comptroller General of the
7 United States shall conduct a study on the purpose
8 and effects of limiting medical and dental coverage
9 under the TRICARE program to exclude remarried
10 widows, widowers, and former spouses of members
11 or former members of the uniformed services.

12 (2) ELEMENTS.—The study under paragraph
13 (1) shall include the following:

14 (A) A census of the widows and widowers
15 who currently qualify as a dependent under the
16 TRICARE program pursuant to subparagraph
17 (B) or (C) of section 1072(2) of title 10,
18 United States Code.

19 (B) A census of the former spouses who
20 currently qualify as a dependent under the
21 TRICARE program pursuant to subparagraph
22 (F), (G), or (H) of such section.

23 (C) An identification of the number of
24 such widows, widowers, and former spouses who
25 intend to remarry, and an assessment of wheth-
26 er potential loss of coverage under the

1 TRICARE program has affected the decisions
2 of such individuals to remarry or remain
3 unremarried.

4 (D) An assessment of the effect, if any, on
5 the military and local communities of an indi-
6 vidual who formerly qualified as a dependent
7 under the TRICARE program by reason of
8 being an unremarried widow, widower, or
9 former spouse, as specified in section 1072(2)
10 of title 10, United States Code, when the indi-
11 vidual remarries and loses such coverage.

12 (E) A cost analysis of the expansion of
13 medical and dental coverage under the
14 TRICARE program to include remarried indi-
15 viduals who, but for their remarried status,
16 would otherwise qualify as a dependent under
17 such program.

18 (b) REPORT.—Not later than one year after the date
19 of the enactment of this Act, the Comptroller General shall
20 submit to the Committees on Armed Services of the House
21 of Representatives and the Senate a report containing—

22 (1) the findings and conclusions of the study
23 under subsection (a); and

24 (2) recommendations based on such findings
25 and conclusions to improve the dependent categories

1 specified in section 1072(2) of title 10, United
2 States Code, including with respect to whether re-
3 married widows, widowers, and former spouses of
4 members or former members of the uniformed serv-
5 ices should remain excluded from coverage under the
6 TRICARE program pursuant to such section.

7 (c) DEFINITIONS.—In this section, the terms “de-
8 pendent” and “TRICARE program” have the meanings
9 given such terms in section 1072 of title 10, United States
10 Code.

1 **SEC. 735 [Log 73253]. STUDY ON JOINT FUND OF THE DE-**
2 **PARTMENT OF DEFENSE AND THE DEPART-**
3 **MENT OF VETERANS AFFAIRS FOR FEDERAL**
4 **ELECTRONIC HEALTH RECORD MODERNIZA-**
5 **TION OFFICE.**

6 (a) STUDY.—The Secretary of Defense, in coordina-
7 tion with the Secretary of Veterans Affairs, shall conduct
8 a study on—

9 (1) the development of a joint fund of the De-
10 partment of Defense and the Department of Vet-
11 erans Affairs for the Federal Electronic Health
12 Record Modernization Office; and

13 (2) the operations of the Federal Electronic
14 Health Record Modernization Office since its estab-
15 lishment, including how the Office has supported the
16 implementation of the Individual Longitudinal Expo-
17 sure Record program of the Department of Defense
18 and the Department of Veterans Affairs.

19 (b) ELEMENTS.—The study under subsection (a)
20 shall assess the following:

21 (1) Justifications for the development of the
22 joint fund.

23 (2) Options for the governance structure of the
24 joint fund, including how accountability would be di-
25 vided between the Department of Defense and the
26 Department of Veterans Affairs.

1 (3) An estimated timeline for implementation of
2 the joint fund.

3 (4) The anticipated contents of the joint fund,
4 including the anticipated process for annual trans-
5 fers to the joint fund from the Department of De-
6 fense and the Department of Veterans Affairs, re-
7 spectively.

8 (5) The progress and accomplishments of the
9 Federal Electronic Health Record Modernization Of-
10 fice during fiscal year 2021 in fulfilling the purposes
11 specified in subparagraphs (C) through (R) of sec-
12 tion 1635(b)(2) of the Wounded Warrior Act (title
13 XVI of Public Law 110–181; 10 U.S.C. 1071 note).

14 (6) The role and contributions of the Federal
15 Electronic Health Record Modernization Office with
16 respect to—

17 (A) the current implementation of the
18 Electronic Health Record Modernization Pro-
19 gram at the Mann-Grandstaff Department of
20 Veterans Affairs Medical Center located in Spo-
21 kane, Washington; and

22 (B) the strategic review of the Electronic
23 Health Record Modernization Program con-
24 ducted by the Department of Veterans Affairs.

1 (7) How dedicated funding for the Federal
2 Electronic Health Record Modernization Office
3 would have affected or altered the role and contribu-
4 tions specified in paragraph (6).

5 (8) An estimated timeline for the completion of
6 the implementation milestones under section 1635(e)
7 of the Wounded Warrior Act (title XVI of Public
8 Law 110–181; 10 U.S.C. 1071 note), taking into ac-
9 count delays in the implementation of the Electronic
10 Health Record Modernization Program.

11 (c) REPORT.—Not later than April 1, 2022, the Sec-
12 retary of Defense, in coordination with the Secretary of
13 Veterans Affairs, shall submit to the appropriate congres-
14 sional committees a report on the findings of the study
15 under subsection (a), including recommendations on the
16 development of the joint fund specified in such subsection.
17 Such recommendations shall address—

18 (1) the purpose of the joint fund; and

19 (2) requirements related to the joint fund.

20 (d) DEFINITIONS.—In this section:

21 (1) The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committees on Armed Services of
24 the House of Representatives and the Senate;
25 and

1 (B) the Committees on Veterans' Affairs of
2 the House of Representatives and the Senate.

3 (2) The term "Electronic Health Record Mod-
4 ernization Program" has the meaning given such
5 term in section 503(e) of the Veterans Benefits and
6 Transition Act of 2018 (Public Law 115-407; 132
7 Stat. 5376).

8 (3) The term "Federal Electronic Health
9 Record Modernization Office" means the Office es-
10 tablished under section 1635(b) of the Wounded
11 Warrior Act (title XVI of Public Law 110-181; 10
12 U.S.C. 1071 note).

1 **SEC. 736 [Log 73497]. BRIEFING ON DOMESTIC PRODUC-**
2 **TION OF CRITICAL ACTIVE PHARMA-**
3 **CEUTICAL INGREDIENTS.**

4 Not later than April 1, 2022, the Secretary of De-
5 fense shall provide to the Committees on Armed Services
6 of the House of Representatives and the Senate a briefing
7 on the development of a domestic production capability for
8 critical active pharmaceutical ingredients and drug prod-
9 ucts in finished dosage form. Such briefing shall include
10 a description of the following:

11 (1) The anticipated cost over the period covered
12 by the most recent future-years defense program
13 submitted under section 221 of title 10, United
14 States Code (as of the date of the briefing), to de-
15 velop a domestic production capability for critical ac-
16 tive pharmaceutical ingredients.

17 (2) The cost of producing critical active phar-
18 maceutical ingredients through such a domestic pro-
19 duction capability, as compared with the cost of
20 standard manufacturing processes used by the phar-
21 maceutical industry.

22 (3) The average time to produce critical active
23 pharmaceutical ingredients through such a domestic
24 production capability, as compared with the average
25 time to produce such ingredients through standard

1 manufacturing processes used by the pharmaceutical
2 industry.

3 (4) Any intersections between the development
4 of such a domestic production capability, the mili-
5 tary health system, and defense-related medical re-
6 search or operational medical requirements.

7 (5) Lessons learned from the progress made in
8 developing such a domestic production capability as
9 of the date of the briefing, including from any con-
10 tracts entered into by the Secretary with respect to
11 such a domestic production capability.

12 (6) Any critical active pharmaceutical ingredi-
13 ents that are under consideration by the Secretary
14 for future domestic production as of the date of the
15 briefing.

16 (7) The plan of the Secretary regarding the fu-
17 ture use of domestic production capability for critical
18 active pharmaceutical ingredients.

1 **SEC. 1082 [Log 73723]. PROVIDING END-TO-END ELEC-**
2 **TRONIC VOTING SERVICES FOR ABSENT UNI-**
3 **FORMED SERVICES VOTERS IN LOCATIONS**
4 **WITH LIMITED OR IMMATURE POSTAL SERV-**
5 **ICE.**

6 (a) PLAN.—

7 (1) DEVELOPMENT.—In consultation with the
8 Chief Information Officer of the Department of De-
9 fense, the Presidential designee under the Uni-
10 formed and Overseas Citizens Absentee Voting Act
11 (52 U.S.C. 20301 et seq.) shall develop a plan for
12 providing end-to-end electronic voting services (in-
13 cluding services for registering to vote, requesting an
14 electronic ballot, completing the ballot, and return-
15 ing the ballot) in participating States for absent uni-
16 formed services voters under such Act who are de-
17 ployed or mobilized to locations with limited or im-
18 mature postal service (as determined by the Presi-
19 dential designee).

20 (2) SPECIFICATIONS.—The Presidential des-
21 ignee shall include in the plan developed under para-
22 graph (1)—

23 (A) methods to ensure that voters have the
24 opportunity to verify that their ballots are re-
25 ceived and tabulated correctly by the appro-
26 priate State and local election officials;

1 (B) methods to generate a verifiable and
2 auditable vote trail for the purposes of any re-
3 count or audit conducted with respect to an
4 election; and

5 (C) an assessment of whether commercially
6 available technologies may be used to carry out
7 any of the elements of the plan.

8 (3) CONSULTATION WITH STATE AND LOCAL
9 ELECTION OFFICIALS.—The Presidential designee
10 shall develop the plan under paragraph (1) in con-
11 sultation with appropriate State and local election
12 officials to ensure that the plan may be implemented
13 successfully in any State which agrees to participate
14 in the plan.

15 (4) USE OF CONTRACTORS.—To the extent the
16 Presidential designee determines to be appropriate,
17 the Presidential designee may include in the plan de-
18 veloped under paragraph (1) provisions for the use
19 of contractors to carry out any of the elements of
20 the plan.

21 (5) SUBMISSION.—Not later than one year after
22 the date of the enactment of this Act, the Presi-
23 dential designee shall submit the plan developed
24 under paragraph (1) to the Committees on Armed

1 Services of the House of Representatives and Sen-
2 ate.

3 (b) IMPLEMENTATION.—If the Presidential designee
4 determines it feasible, the Presidential designee shall im-
5 plement the plan developed under subsection (a)—

6 (1) for a trial group of voters in participating
7 States for elections for Federal office held in 2024;
8 and

9 (2) for all such voters in participating States
10 for elections for Federal office held in 2026 and any
11 succeeding year.

1 **Subtitle B—Other Matters**

2 **SEC. 1411 [Log 73452]. AUTHORITY FOR TRANSFER OF**
3 **FUNDS TO JOINT DEPARTMENT OF DEFENSE-**
4 **DEPARTMENT OF VETERANS AFFAIRS MED-**
5 **ICAL FACILITY DEMONSTRATION FUND FOR**
6 **CAPTAIN JAMES A. LOVELL HEALTH CARE**
7 **CENTER, ILLINOIS.**

8 (a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the
9 funds authorized to be appropriated for section 1405 and
10 available for the Defense Health Program for operation
11 and maintenance, \$137,000,000 may be transferred by the
12 Secretary of Defense to the Joint Department of Defense—
13 Department of Veterans Affairs Medical Facility Dem-
14 onstration Fund established by subsection (a)(1) of sec-
15 tion 1704 of the National Defense Authorization Act for
16 Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571).
17 For purposes of subsection (a)(2) of such section 1704,
18 any funds so transferred shall be treated as amounts au-
19 thorized and appropriated specifically for the purpose of
20 such a transfer.

21 (b) **USE OF TRANSFERRED FUNDS.**—For the pur-
22 poses of subsection (b) of such section 1704, facility oper-
23 ations for which funds transferred under subsection (a)
24 may be used are operations of the Captain James A.
25 Lovell Federal Health Care Center, consisting of the

1 North Chicago Veterans Affairs Medical Center, the Navy
2 Ambulatory Care Center, and supporting facilities des-
3 igned as a combined Federal medical facility under an
4 operational agreement covered by section 706 of the Dun-
5 can Hunter National Defense Authorization Act for Fiscal
6 Year 2009 (Public Law 110-417; 122 Stat. 4500).

1 **SEC. 1412 [Log 73451]. AUTHORIZATION OF APPROPRIA-**
2 **TIONS FOR ARMED FORCES RETIREMENT**
3 **HOME.**

4 There is hereby authorized to be appropriated for fis-
5 cal year 2022 from the Armed Forces Retirement Home
6 Trust Fund the sum of \$75,300,000 for the operation of
7 the Armed Forces Retirement Home.

1 **SEC. 6001 [log73454]. FAA RATING OF CIVILIAN PILOTS OF**
2 **THE DEPARTMENT OF DEFENSE.**

3 (a) ELIGIBILITY FOR CERTAIN RATINGS.—Not later
4 than 18 months after the date of the enactment of this
5 Act, the Administrator of the Federal Aviation Adminis-
6 tration shall revise section 61.73 of title 14, Code of Fed-
7 eral Regulations to ensure that a Department of Defense
8 civilian pilot is eligible for a rating based on qualifications
9 earned as a Department of Defense pilot, pilot instructor,
10 or pilot examiner in the same manner that a military pilot
11 is eligible for such a rating based on qualifications earned
12 as a military pilot, pilot instructor, or pilot examiner.

13 (b) DEFINITIONS.—In this section:

14 (1) The term “Department of Defense civilian
15 pilot”—

16 (A) means an individual, other than a mili-
17 tary pilot, who is employed as a pilot by the De-
18 partment of Defense; and

19 (B) does not include a contractor of the
20 Department of Defense.

21 (2) The term “military pilot” means a military
22 pilot, as such term is used in section 61.73 of title
23 14, Code of Federal Regulations (as in effect on the
24 date of the enactment of this Act).

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE V—MILITARY PERSONNEL POLICY

ITEMS OF SPECIAL INTEREST

Army Aviation Retention Study

The committee recognizes the importance of the United States Army's aviation mission and corresponding need for strong end strength. U.S. Army aviators have unique skill sets and provide expertise critical to the service's combat readiness. However, the committee is concerned about the recruitment and retention of qualified pilots and aviation crewmembers and the effect on the Army's ability to conduct worldwide operations. The U.S. Army must work towards retaining these personnel to avoid a shortage of experienced pilots with the technical and tactical knowledge to maintain aviation readiness.

Therefore, the committee directs the Secretary of the Army to conduct a study and to provide a report to the House Committee on Armed Services by December 31, 2021, on necessary efforts to recruit and retain qualified pilots. The study and report shall include information and recommendations based on, but not limited to:

- (1) barriers to successful recruitment of qualified pilots;
- (2) the high operational tempo for Army pilots and its affects on training and readiness, as well as effects on military families;
- (3) pay and bonus structures for Army pilots and aviation Military Occupational Specialties;
- (4) the length and structure of aviation contract obligations; and
- (5) existing retention tools outside of monetary bonuses such as improved quality of life initiatives.

Artificial Intelligence and Personnel Talent Management

The committee recognizes the significant resources that all of the services spend in recruiting and retaining talent across their respective enterprises. The committee is aware of capability gaps within the military services in properly identifying the skills and necessary attributes of personnel to optimize their talent pools. Further, the committee acknowledges that artificial intelligence (AI) and other data science innovations can help better align individuals's skills to service requirements with predictable successful outcomes, measured through job performance and retention. The committee recognizes that AI can also improve talent management by creating a rich repository of data that can be used to build a more holistic view of skills obtained throughout a career in military service. The committee believes that the technology can improve force readiness by enhancing recruitment efficiency and increasing retention. Ensuring that military service

members are identified for the right missions based on a critical combination of skills and experience will optimize performance and increase mission success. The committee urges the Army and other services to support increased AI investment for talent management and acquisition.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than February 1, 2022, on how each of the military services are leveraging commercially available AI platforms that are designed to accurately predict human outcomes and radically improve talent management.

Award of the Prisoner of War Medal

The committee notes the unequal treatment of applicants across the services for award of the Prisoner of War Medal under section 1128(b) of title 10, United States Code, as amended by the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239). The Department of the Army specifically has interpreted the statutory requirements in such a narrow way as to block seemingly obvious cases of eligibility, whereas the other service secretaries have implemented the requirements for the award in a much more discretionary fashion as was intended. The committee also understands that not all services have established clear processes for how service members or their next of kin might apply for the Prisoner of War Medal under the provisions of section 1128(b) of title 10, United States Code. The committee encourages the Department of Defense to mandate the sharing of best practices of award criteria across the services. Therefore, the committee directs the Secretaries of the military departments to provide a briefing to the Committee on Armed Services of the House of Representatives not later than March 1, 2022, on the details of the process and criteria by which they consider the award of the Prisoner of War Medal under section 1128(b) of title 10, United States Code.

Briefing on Implementation of U.S. Special Operations Command Diversity and Inclusion Strategic Plan

The committee notes the 1999 RAND study on barriers to minority participation in special operations forces. The committee also understands that the U.S. Special Operations Command struggles to build and maintain a diverse and inclusive force. Therefore, the committee directs the Secretary of Defense, in coordination with the Commander, U.S. Special Operations Command, to provide a briefing to the Committee on Armed Services of the House of Representatives, not later than April 1, 2022, to address the following: (1) the specific tools and metrics devised to evaluate the diversity and inclusivity of recruiting within the special operations community; (2) the potential cultural barriers that may prevent those with diverse backgrounds from serving in the special operations community and possible solutions; and (3) whether the special operations community is measuring the right data points to ensure combat effectiveness, and if not, what data points

should be measured. The briefing shall include implementation efforts and the milestones to fully realize the Diversity and Inclusion Strategic Plan 2021.

Career Intermission Program Evaluation

The committee is concerned about the perceived or real barriers to service members using the Career Intermission Program to its full potential to benefit service member career choices. Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than February 1, 2022, on the utilization rate of the Career Intermission Program, disaggregated by gender, and the barriers perceived by service members, such as promotion opportunity, that would make them hesitate to use the program.

Media Literacy Training

The committee is concerned about the level of media literacy of service members. Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than March 1, 2022, on a strategy to include media literacy, digital literacy, and information literacy as part of regular service member education beginning in basic training and continuing throughout their careers. Additionally, the Secretary will consider the feasibility of making this training available to dependents.

National Guard Active Guard Reserve Program

The committee notes that the Army National Guard relies on a percentage of its overall personnel to work in a full-time support capacity to ensure rapid emergency response, provide administrative and logistical execution of training events, and maintain National Guard facilities and community relations and recruitment of members. The number of full-time support personnel is based on the authorized Army National Guard end strength. This number is currently less than 62 percent of what is authorized across the 54 States and territories. The committee is also concerned about multiple consecutive National Guard tours in the National Capital Region. Therefore, the committee directs the Director of the National Guard Bureau, in consultation with the State Adjutants General, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than April 1, 2022, on the National Guard Bureau Title 10 Active Guard and Reserve Program. The specific elements of the report should:

(1) describe the current composition of the National Guard title 10 program, including the current levels of Army and Air National Guard personnel on Active Duty in support of the Reserves; on title 10 duty in the National Capital Region; on title 10 duty outside of the National Capital Region; and average number of years spent consecutively on title 10 duty.

(2) assess the feasibility of converting title 10 billets to 3-year nonconsecutive rotational billets between title 32 and title 10 status including a recommended timeline of implementation; proposed billets to be converted; criteria used to determine which billets should be converted; effects on State management of officer career progression; and effects on recruiting and retention of the title 32 and title 10 Active Guard Reserve force.

(3) identify the total cost and any barriers to convert 1,000 traditional Guard positions to Active Guard positions every year for the next 10 years, for a total of 10,000 nationwide.

(4) identify any additional legislative language deemed necessary to convert title 10 billets to rotational duty.

National Guard Drill Periods

The committee is concerned that two decades of continual deployment of the National Guard and increasing use of the National Guard for domestic missions including security and more frequent national disaster response, combined with increased drill periods, is exacting a heavier toll on the force and on individual guardsmen than was ever intended. Ignoring or failing to examine this issue and to consider opportunities to mitigate the impact on guardsmen through modifications to drill periods and compensation risks long-term damage to the National Guard and the service it provides to the country.

The committee directs the Chief of the National Guard Bureau to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by February 1, 2022, including, for fiscal years 2019 and 2020, data on the number of guardsmen who were required to drill on more than 10 weekdays during the year; data on the number of guardsmen who were required to drill for more than 38 total days during the year; the distribution of the number of drilling days for guardsmen disaggregated by the 10th, 25th, 50th, 75th, and 90th percentile; and also analyses of the effects of increased mobilization periods and weekday drill periods on National Guard readiness and retention, the adequacy of the current National Guard drill pay structure for drill periods covering weekdays or periods that bring a guardsman's total days drilled above 38 per year, and the impact of potential duty status reform on these issues.

National Guard Force Apportionment

The committee notes that the current process for National Guard Bureau force structure allocation to the States is based on various factors, including sustainability to man, equip, and ready the unit for its Federal mission. However, this apportionment of the Guard does not consider a State's demands for its domestic missions, and how those domestic missions may affect a unit's readiness for the Federal mission.

The committee appreciates the tremendous and extraordinary efforts of the National Guard over the past year that included COVID-19 response, civil unrest,

and natural disasters to go along with their regular Federal missions. These deployments in support of civil authorities are a critical component of the Guard mission. However, these domestic missions have put a strain on State Guard bureaus, especially in those States with lower Guard personnel to population ratios. These States must protect a larger portion of their citizens with fewer resources and personnel, meaning greater deployments. The committee is concerned that these increasing domestic deployments may have an impact on recruiting and retaining qualified individuals and on a State's ability to man, equip, and ready a unit for its Federal mission.

Therefore, the committee directs the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2022, on how the criteria factors in apportionment of personnel to the States consider a State's demands for its domestic response missions and how those missions affect its readiness for the Federal mission, and whether priority should be given to States meeting their recruitment goals that have the lowest Guard to civilian population ratios and how that may relate to other States' force structure allocation.

Report on a Digital Technical Skills in the Department of Defense

The committee notes the critical need for military personnel skilled in areas related to Artificial Intelligence (AI) and other digital technical related skill areas important to national security. The final report of the National Security Commission on Artificial Intelligence (NSCAI), dated March 1, 2021, stated "national security agencies need more digital experts now or they will remain unprepared to buy, build, and use AI and associated technologies. The talent deficit in the Department of Defense and the Intelligence Community represents the greatest impediment to being AI-ready by 2025. The government needs new talent pipelines, including a United States Digital Service Academy to train current and future employees". Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military department and the Chairman of the Joint Chiefs of Staff, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 1, 2022, regarding the following:

(1) The military manning requirements and career specialties related to AI, cyber and digital warfare;

(2) An assessment of digital technical fields as defined by the NSCAI which include artificial intelligence, software engineering, electrical science and engineering, computer science, molecular biology, computational biology, biological engineering, cybersecurity, data science, mathematics, physics, human-computer interaction, robotics, and design and any additional fields mentioned in the report;

(3) The future military manning requirements in AI, cyber and digital technical warfare areas as they relate to emerging mission requirements;

- (4) The training and education requirements for these types of specialties;
- (5) How the Military Service Academies, War Colleges, Military Post Graduate Institutions and other DoD training and education activities are meeting these mission requirements;
- (6) An assessment of the NSCAI report recommendations that create a United States Digital Service Academy;
- (7) An assessment of the NSCAI report recommendation related to the emphasis on civil service vs. military service;
- (8) An assessment of what portions of the NCSAI recommendations should be considered for potential action by the Department of Defense;
- (9) An estimate of the education and training costs related to AI, cyber and digital technical warfare fields over the past 5 years and over the Future Years Defense Program.

Report on Data Compromise and Payday Lending

The committee is concerned that service members may be harmed by pervasive breaches of personal data, including payment card breaches at point of sale and card-not-present transactions, by governments and private-sector entities that have occurred in the United States, as well as the use of payday and title loans with disadvantageous terms. The committee directs the Under Secretary of Defense for Personnel and Readiness to provide a briefing to the House Committee on Armed Services by February 1, 2022, assessing the impact and costs of personal data breaches on military personnel, especially those on Active Duty, and the utilization by military personnel of payday and title loans, including the impact on the financial health of service members and the impact on readiness to the Armed Forces.

Small Unit Leadership Training

The committee is concerned that there may be challenges with equipping small unit leaders across the military services with the skills to build trust and enduring relationships with junior service members. The committee also understands the detrimental effect that sexual assault, sexual harassment, extremism, hazing, suicide and other issues have on unit cohesion. Therefore the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments, to submit a report to the Committee on Armed Services of the House of Representatives not later than February 1, 2022, that provides the following:

- (1) a review of small unit leader training across the military services that highlights challenge areas and opportunities for improvement;
- (2) a taxonomy of training and grid that ties small unit leaders to the issues raised above and any other issues that may affect good order and discipline not herein contained;

- (3) the metrics, both measures of performance and more importantly measures of effectiveness, that lead to changes in behavior;
- (4) the current state of funding and the optimal level of funding that will allow the military services to fully address these training issues;
- (5) desired end state of this training;
- (6) the plan of actions and milestones from each military service that depicts when they will meet desired end state; and
- (7) any additional legislation or policy recommendations that should be considered to ensure transformation and timely implementation.

Wargaming at War Colleges and Military Postgraduate Education Institutions

The committee notes the importance of wargaming as an integral component of military training, education, and research. Wargaming has been an essential tool for military commanders across the tactical, operational, and strategic levels of warfare. It also helps military leaders better understand the range of possible warfighting futures, innovate and express new ideas, challenge current warfighting assumptions, and integrate technologies and capabilities into operations and force structure. However, there appears to be a lack of coordination in the wargaming community and in the Department of Defense's academic institutions, challenges with sharing lessons learned in an agile and adaptive manner, and little coordination to ensure programmatic budget decisions are influenced by these sometime crucial military insights.

Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments and the Chairman of the Joint Chiefs of Staff, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2022, regarding the use of wargaming within the Department of Defense War Colleges and military postgraduate institutions that includes the following:

- (1) a description of how and if wargaming is used and how frequently it has been used over the last 10 years;
- (2) how wargaming enriches the student learning experiences and how it intersects with Joint Professional Military Education;
- (3) how many students and faculty have been exposed to wargaming over the last 10 years;
- (4) how are the lessons learned from wargaming captured, disseminated, and integrated;
- (5) how much has been spent on wargaming over the last 10 years;
- (6) how are wargaming scenarios updated to ensure they continue to meet the challenge of tomorrow's adversary;
- (7) how are best practices used to ensure currency, accuracy, and relevance, including the use of classified information, to provide forward-looking war games as instructional tools; and

(8) any recommendations to improve and enhance the use of wargaming at War Colleges and military postgraduate institutions.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

ITEMS OF SPECIAL INTEREST

Assessment of STEM Education in Department of Defense Education Activity Schools

The committee notes that many military children educated through the Department of Defense Education Activity (DODEA) system go on to serve in the military themselves. As part of the effort to build a science, technology, engineering, and mathematics (STEM) talent pipeline for both our uniformed and civilian services, the committee believes that DODEA should invest in STEM education to prepare students for careers in these fields, which are critical to national security. The committee therefore directs the Director of the Department of Defense Education Activity to assess the quality of STEM education programs within the DODEA system relative to best-in-class STEM curricula in U.S. public schools, evaluate the performance of DODEA-educated students on the STEM portion of standardized tests, and develop recommendations for strengthening the STEM curriculum in DODEA schools. The committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than February 1, 2022, on the recommendations and an implementation plan.

Basic Allowance for Housing Calculation

The committee is concerned that the method of determining the Basic Allowance for Housing (BAH) is outdated and in need of modernization. The committee finds there can be limitations to the Department of Defense's calculations for BAH in rural areas or those with low housing stock. The smaller sample size can make it difficult for the Department to assess the median cost of 30-75 sample housing units. This can result in housing benefits that are lower than the actual area cost of living, causing financial hardship for military members, their families, and veterans accessing this benefit as part of the Post 9/11 GI Bill.

The committee believes changes should be made to accommodate low housing stock and rural housing supply issues when the Department conducts its Basic Allowance for Housing sampling to improve the accuracy of the calculation and the reality of housing availability and cost in these areas.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than February 25, 2022, on whether the process for calculating BAH meets

area cost of living in rural military housing areas that did not meet the Department's standard sample size during the most recent assessment, and a plan for making adjustments to the data gathering and calculation process to better meet the needs in these kinds of communities. The report should additionally make available to the committee the details of the overall process and calculation of BAH across the Department of Defense and whether adjustments to the current methodology are necessary to more realistically determine the rates of BAH.

Bereavement Study

The committee notes the seriousness with which the Department of Defense takes the death of any service member and believes that a review of the programs and processes related to this issue is of importance to assure that family members are appropriately cared for during this trying time. Therefore, the committee directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives, not later than March 1, 2022, on the Department of Defense and military departments' Casualty and Mortuary Affairs programs, including an update on the status and effectiveness of the Gold Star Advocate Program and the status of implementation of Government Accountability Office recommendations (GAO-16-569) designed to enhance the effectiveness of the Gold Star Advocate Program. The report shall include information on the governance of the Casualty Assistance Program, goals and metrics used to track the effectiveness of the program, and information on the implementation of casualty assistance officer training and its effect on the quality of the program.

Childcare Best Practices

The committee continues to be concerned that military families continue to face shortages in the availability of child care as the waitlists continue to grow. Child care is also a readiness issue that needs to be addressed and the military services should research new, innovative solutions to this problem. The committee notes that some military installations have had success in establishing community partnerships with school districts, colleges, and nonprofit organizations. This has allowed military installations to lease vacant facilities for childcare operations or has led to creative community partnerships. The committee believes that every military installation should be attempting to replicate these efforts to expand childcare access.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than February 1, 2022, on what efforts nationwide and across the military services are being undertaken to expand community relationships and partnerships with community-based childcare providers. The report should also highlight what barriers exist that deter innovative solutions to the expansion of military childcare facilities.

Department of Defense Education Activity Standardized Record System

The committee is concerned about the standardization of all student records throughout the Department of Defense Education Activity (DODEA) and the specific tracking of students that are gifted or have exceptional needs, including formal Exceptional Family Member Program students. Therefore, the committee directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than April 1, 2022, that assesses the feasibility of developing an electronic records system that follows students through the DODEA system when they move between permanent change of duty stations. This feasibility assessment will consider the inclusion of their standardized test scores and placement data so that routinely retaking courses or tests is unnecessary.

Hazardous Duty Pay Parity

The committee recognizes the important contributions of paratroopers serving throughout the military. However, the committee is concerned that a disparity in hazardous duty pay may exist between Active Component and Reserve Component paratroopers. Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than April 1, 2022, assessing whether a hazardous duty pay disparity exists between components, rationale for any potential disparity, any cost associated with bringing these pays in direct alignment, and recommendations that should be considered for legislative action.

In-Home Childcare Licensures

The committee continues to be concerned about the availability of child care and the emphasis that the Department of Defense has put on in-home childcare licensures. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than February 1, 2022, on childcare licensures and in-home provider care on military installations. The report will answer the following questions:

- (1) how many in-home licenses have been applied for;
 - (2) how many were granted;
 - (3) how many are needed;
 - (4) how long does the licensing process take;
 - (5) is the process too cumbersome and bureaucratic to be useful as it stands;
- and
- (6) how can the application process be shortened or speeded up.

Reserve Component Service Member Benefits

The committee is concerned that the earned post-service benefits for Reserve Component service members, specifically career reservists, are not being communicated to them in a clear, concise, and easily understandable manner and therefore these service members may not ultimately access these earned benefits. Because of the nature of Reserve Component service with breaks in activation, or the length of time between service and discharge or retirement, a clear communication and understanding of how to qualify for or have access to post-service benefits for reservists is critical. Therefore, the committee directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives, not later than March 1, 2022, that describes and assesses the process, timing, and comprehensiveness of the communication of available post-service benefits to Reserve Component service members, how many full-time reservists access the GI Bill and at what rate as well as any recommendations to increase GI Bill benefits for reservists.

TITLE VII—HEALTH CARE PROVISIONS

ITEMS OF SPECIAL INTEREST

Blast Injury Health Policy Review

The committee commends the Department of Defense for its continued research and development activities related to blast injuries and the diagnosis and treatment of traumatic brain injury (TBI).

Although the Department has spent approximately \$1.8 billion over the last 10 years on TBI-related research and development, it has pursued only a handful of projects focused on TBI preventative devices. The committee is aware of the U.S. Special Forces Command's Comprehensive Strategy for Special Operations Forces Warfighter Brain Health and the Blast Exposure Monitoring (BEMO) initiative to operationalize and deploy automated blast exposure monitoring among service members and recommends the Department evaluate BEMO as a model for service-wide blast exposure monitoring. The committee also urges the Department to develop a comprehensive strategy for deployment of automated blast monitoring across the force to include development, program management, and acquisition, and consider non-helmet TBI preventative devices as part of the solution to monitor exposure in training and in combat.

The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services, not later than February 1, 2022, that includes the following:

- (1) a comprehensive Department of Defense strategy to provide joint strategic direction to the Department and Military Health System including standardized operational requirements for neurotrauma prevention, detection,

diagnosis, treatment (to include non-combat related concussion and blast exposure), and integration of training programs for innovative solutions necessary to enhance warfighter performance through targeted specific mental health assessment, data metrics, data analysis, training, and implementation.

(2) an incorporation of findings and recommendations of the forthcoming National Academies of Science, Engineering, and Medicine study on neurotrauma.

(3) an assessment of the impact of broadening the definition of a military acute concussive event for establishing the collection and documentation of exposure information that will support the Department of Defense as it sets formal thresholds and then modifies those thresholds as the science develops further.

(4) an assessment of non-helmet TBI preventative devices that have Food and Drug Administration clearance and are in use by numerous professional athletes that should be a key component of the Department of Defense's holistic effort to combat TBI, both in training and in combat.

(5) an assessment of the effectiveness of appropriated defense research dollars (including Congressionally Directed Medical Research Programs) in producing measurable improvements in the prevention, detection, diagnosis, and treatment of brain injury for service members with recommendations on improvement to defense brain injury research oversight.

Burn and Wound Care Innovation

The committee understands that polytrauma injuries, such as massive burns and open wounds, are among the most common combat injuries. Burn wounds usually require debridement as soon as possible after injury to preserve skin, remove dead tissue, and avoid infection, which requires resources that are typically unavailable in a battlefield environment. Burn wounds have a high risk of infection that can lead to amputations, longer hospital stays, and complications, resulting in longer, more challenging rehabilitation for service members, including the possibility of being unable to return to duty or active life. The committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives by February 1, 2022, that assesses possible burn care innovations that can be used without a surgeon or sterile environment that can treat burn wounds and result in equal or better patient outcomes.

Chemical, Biological, Radiological and Nuclear Medical Response

The committee applauds the Secretary of Defense's deployment of military assets to speed ongoing COVID-19 vaccination efforts in the United States. The committee also notes that the Department of Defense provided significant support to State and local agencies in the initial stages of the national pandemic response in 2020. Not only did medical units from the Army, Navy, and Air Force render invaluable support, but other elements of the force, particularly the National Guard, provided essential logistical and security support to overwhelmed State and local governments and medical facilities. While individual units did outstanding

work, the committee believes the Department's response could have been better coordinated. Such coordination is essential, given the disruptive nature and frequency of these events, from the West African Ebola response in 2014 to the present.

The committee believes that the United States military will always be a primary supporting responder to mass events, whether caused by infectious disease or an adversary-generated chemical, biological, radiological, or nuclear (CBRN) event. Unfortunately, the first time that line units, military medical providers, and local authorities ever acted jointly is in the occurrence of an actual event, as was the case of the 101st Airborne Division (Air Assault) during the Ebola mission to Africa. At no time were CBRN first line responders, military healthcare providers, and local officials afforded the opportunity to train jointly in the operational medical response to an epidemic or CBRN attack. This deficiency must be addressed. To that end, the committee understands that the CBRN School at Fort Leonard Wood, Missouri, as well as other locations with CBRN military capabilities may provide integrated medical and line unit training for these types of contingencies to remedy these gaps in training.

Therefore, the committee directs the Secretary of Defense to submit a report to the congressional defense committees by March 1, 2022, on plans to institute integrated medical, line unit, and civil authority training for an epidemic or CBRN event, to include possible locations for such training and the capabilities that may be used during the training to include throughput.

Determination of Eligibility for Adult Incapacitated Children of Service Members

The committee understands there are approximately 31,000 incapacitated adult child dependents enrolled for benefits in the Defense Enrollment Eligibility Reporting System. An incapacitated adult child must be dependent on the Active Duty or retired service member for over one-half of the child's support. The Government Accountability Office (GAO) Report 20-335 found the Department of Defense policy provides limited guidance and inconsistent standards resulting in the military services developing fragmented approaches for processing applications. It also discovered that the calculations for some incapacitated adult children were made based on a formula called the Family Unit Rule. Moreover, the Marine Corps apparently assigns all adults in the household, including incapacitated adult children, two shares of household expenses, and minor children one share, whereas the Defense Finance Accounting Service, Army, Navy, and Air Force calculate these shares differently, which creates an inconsistent application of policy.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than February 1, 2022, that includes the following:

(1) revised guidance for financial determinations and consistent medical standards for all of the military services to use in determining the dependency status of incapacitated adult children.

(2) consistent application of the Family Unit Rule which assigns all adults in the household, including incapacitated adult children, two shares of household expenses, and minor children one share.

(3) clarification of the definition of a nondependent family member in DOD Instruction 1315.19 and the circumstances under which nondependent family members should be considered for services provided by the Exceptional Family Member Program.

(4) clearly defined oversight responsibilities of the Department of Defense Human Resources Activity and the military services for the incapacitated adult child dependency process, including the consistent tracking, monitoring, and reporting of reliable data on incapacitated adult child dependency applications and determinations across the military services for use in data-driven decision-making.

(5) the status of other recommendations as reported in GAO Report 20-335.

Holistic Health and Fitness Programs

The committee recognizes that preventable musculoskeletal injuries negatively impact soldier health, Army readiness, and impose a significant healthcare cost burden. The committee also understands that the Army Holistic Health and Fitness (H2F) Program is designed to optimize individual performance and create stronger, fitter, and faster soldiers better prepared for the practical challenges they face both on and off the battlefield. Moreover, the committee recognizes that equipment and facilities are essential elements of the H2F system and that the Soldier Performance Readiness Center (SPRC) is an integral part of the H2F programming, as it provides a supportive individually focused fitness training environment where comprehensive, integrated, and immersive physical and nonphysical programming is delivered.

Therefore, the committee directs the Secretary of Defense, in coordination with the Secretary of the Army and the Army H2F Program, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than April 1, 2022, that includes the following:

(1) musculoskeletal injury prevention research efforts focused on identifying risk factors for musculoskeletal injuries among members of the Armed Forces and creating a better understanding for adaptive musculoskeletal and bone formation during initial entry military training.

(2) gaps in musculoskeletal injury prevention research to include anticipated budget that would be suitable to fill these gaps.

(3) recommendations on the designation of a program executive office that would have oversight and management of the Army's performance health and fitness equipment and facility acquisition, contracting, and sustainment processes.

(4) recommendations to include a timeline on the establishment of a sustainment cycle for SPRCs, container gyms, Army Combat Fitness Test lane equipment, and used gyms-in-a-box.

Impact of Mental Health Copays Report

The committee is concerned that increases in certain TRICARE specialty care copays have had an impact on the utilization of outpatient mental health visits and physical, speech, and occupational therapy visits by Group A beneficiaries. Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2022, that includes an analysis comparing the utilization rates of outpatient mental health visits and physical, speech, and occupational therapy visits by Group A beneficiaries in 2016 and 2017 (before copays increased) to utilization rates of these services in 2018 and 2019 (after copays increased.) Data for 2020 will not be included due to the impact of COVID-19 on healthcare utilization. Utilization will be measured by unique users, average/median number of visits per user, percent of users with only one visit, distribution of users across binned number of visits (1 visit only; 2-3 visits; 4-6 visits; 7-9 visits; 10-12 visits; more than 12 visits) and other measures the Secretary deems appropriate. For TRICARE Prime beneficiaries, the analysis will assess the percentage of patients referred for these services who actually accessed care. The analysis shall cross tabulate data for each beneficiary sponsor category (Active Duty versus retired versus medically retired) and TRICARE Plan (Prime versus Select), given that copays vary across these groups.

Individual First-Aid Kits Improvements

The committee understands that improving troop readiness and reducing preventable deaths on the battlefield are top priorities. Individual first-aid kits (IFAKs) and combat lifesaver kits (CLS) contain products that are designed to improve lifesaving performance by every combatant. A simplified supply chain with synchronized manufacturing for these products is critical to serving the warfighter and effectively using funding. The committee is concerned that the current logistics systems may be unsynchronized and that IFAKs/CLSs in tactical units require extensive management of approximately 180,000 single items, from depots to the individual service member level, each with its own expiration date and Food and Drug Administration (FDA) manufacturer lot number. Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than May 1, 2022, that includes the following:

- (1) comprehensive review of the current procurement system for the IFAKs/CLSs, including the following: the effects of purchasing, and the locations and destination of IFAK components from different contractors via different procurement channels; shipping, fees and storage costs of the IFAK/CLS components prior to kitting; personnel costs associated with labeling and kitting the IFAKs; storage and shipping costs of the IFAK/CLS prior to delivering the IFAK/CLS to the service members; the different shelf life for each component in the IFAK/CLS and its impact on readiness; estimated brigade unit-level man-hours

associated with monthly, quarterly, annual requirements for inspection, inventory, documentation, and reporting requirements for maintaining IFAKs/CLSs; and the ability of the services and warfighter to track and conduct an FDA-directed safety recall of an IFAK/CLS component.

(2) a review of the benefits of synchronizing the manufacturing and kitting of individual IFAK/CLS components throughout the entire supply chain in an FDA-registered facility to ensure the quality of the first-aid kits and combat lifesaver kits.

Innovations in Suicide Prevention Efforts

The committee recognizes that suicides are tragic events that affect the military community on a daily basis and that the military's response to suicidal thoughts, attempts, and deaths involves clinical and non-clinical approaches. Clinical efforts may include depression and suicide-specific screening in primary care and during annual periodic health assessments. Non-clinical efforts include activities such as facilitating training of service members in problem-solving, coping skills, and financial literacy. The committee is concerned that despite these efforts to reduce the risk of suicide, the suicide rate appears to be increasing at an alarming rate. Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives, not later than March 1, 2022, on how the Department of Defense and the military services are incorporating innovative technologies such as artificial intelligence and machine learning in identifying at-risk individuals, as well as the usefulness of predictive analytics in this arena. In addition, the briefing should include how the Department of Defense and the military services are measuring the effectiveness of recently deployed risk reduction tools such as the Army Commander Risk Reduction Toolkit, the Navy's Commander Risk Mitigation Dashboard, the National Guard's Springboard, and the Marine Corps' Command Individual Risk and Resiliency Assessment System at aggregating risk indicators for suicide prevention.

Medication Optimization Plan

The committee recognizes that 99 percent of those who have served in the military have at least one actionable pharmacogenomic variant, every 2 minutes someone dies from an adverse drug event (ADE), and over half of people are prescribed at least one drug where pharmacogenomic information would be critical to dosage or patient harm. Moreover, pharmacogenomic testing, analysis, alerting, and entry into the military electronic health record system may be an essential part of precision medicine and has the potential to save service members' lives, improve outcomes, and lower expenditures.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than March 1, 2022, on how the Department of Defense may be able to implement a plan to optimize

medications and reduce ADEs among service members and dependents. This plan should include an assessment of:

- (1) the current strategies used to optimize medications and reduce ADEs, including the role of pharmacists;
- (2) the feasibility of incorporating pharmacogenomic testing and clinical decision support tools and aligning efforts across the Defense Health Agency, the military departments and the Military Health System;
- (3) an implementation plan to integrate pharmacogenomic testing results into the electronic health record in a manner that informs medication management decisions long term;
- (4) any existing acquisition authorities that may be used to catalyze innovative partnerships to rapidly achieve this effort; and
- (5) any costs associated with the potential implementation plan.

Mental Health Services

The committee is concerned that the demand for mental health-related services within the Department of Defense may be at a critical breaking point. The recently released Government Accountability Office Report 21-437R indicated that COVID-19 has further exacerbated mental health access challenges across the United States. The Centers for Disease Control and Prevention surveys found about 38 percent of respondents reported symptoms of anxiety or depression from April 2020 through February 2021, up from about 11 percent in 2019. Emergency department visits for overdoses and suicide attempts from mid-March to mid-October 2020 were up 36 percent and 26 percent, respectively, from 2019. Many behavioral health service providers reported increasing demand and decreasing staff sizes.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than February 1, 2022, that includes the following:

- (1) a review of how the Health Professions Scholarship Program can be expanded to increase the number of mental health-related scholarships granted, with the goal of increasing the pipeline of mental health providers.
- (2) a review of how the Department of Defense can prioritize an increase in Special and Incentive Pays to maximize the retention of Active Duty mental health providers.
- (3) a review of how the Department of Defense can increase General Schedule paygrades for mental health providers working in military treatment facilities.
- (4) a plan to establish a pilot program that uses information technology-based human performance synthetic training systems capable of advanced biometric data collection and reporting that can be used to: establish and monitor cognitive and physical baselines for service members throughout their careers and aid in forecasting, assessment, and diagnosis of mental health issues, including

post-traumatic stress disorder (PTSD); explore the effectiveness of integrating PTSD resiliency skills with warfighter tactical training; and utilize data analytics to improve training protocols and effective mitigation strategies and tactics.

National Disaster Medical System Medical Surge Pilot

The committee affirms the primary mission of the Military Health System to ensure the medical readiness of the Armed Forces and the combat effectiveness of the defense establishment. While this fundamental cornerstone of defense health is undisputed, the committee is concerned that more attention must be placed on medical capabilities and surge capacity required for the global pandemic and homeland defense mission. To address this need, section 741 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) directed implementation of a pilot program for civilian and military partnerships to increase medical surge capability and enhance interoperability of the National Disaster Medical System (NDMS). The committee also observes that the House Appropriations Committee Subcommittee on Defense, in its committee report to accompany the Department of Defense Appropriations Bill, 2021 (H. Rept. 116-453), similarly directed accelerated execution of this pilot program and directed that a first location partnership be underway in calendar year 2021. The congressional defense committees remain concerned about the medical, surveillance, and preventive medicine capabilities of the Military Health System to support both a global pandemic and homeland defense mission.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 1, 2022, that includes the following:

- (1) the medical, surveillance, and preventive medicine capabilities that would be used to support a global pandemic and health-related homeland defense missions;
- (2) a list of the coordination, exercises, and support agreements between the Department of Defense and NDMS partners;
- (3) a rough order of magnitude on the bed capacity that would be available to the Department of Defense through NDMS partner healthcare facilities;
- (4) the gaps that currently exist between the Department of Defense and NDMS partners; and
- (5) a rough estimate of cost associated with fixing any gaps that would improve the capabilities between the Department of Defense and NDMS partners.

National Guard Telehealth Capability

The committee notes that the Periodic Health Assessment (PHA) is a screening tool used by the Armed Forces to evaluate the individual medical readiness of service members. It is the first of what may be several activities that provide the information needed by the surgeons general to assess individual mission

readiness. Administration of the PHA for the Guard and Reserves is uniquely challenging.

Members of the Guard and Reserves, who generally live and work in their communities rather than on a military installation, have multiple training requirements and limited time during drill weekends. Currently, the PHA must be completed with a secure military facility computer or via a Common Access Card (CAC)-enabled computer (not a mobile device). Completion of the PHA requires that the Guard or Reserve member have access to a computer and CAC card reader, take time off work and travel to a military facility to use a military computer, or take time away from training to complete the PHA during training time. It is logistically and administratively difficult and places burden on members of the Guard and Reserves.

As a result, the committee urges the National Guard to establish a secure mobile application that provides the capability for a member of the National Guard to complete the PHA self-assessment and follow-up information and screenings on a personally owned smartphone, tablet computer, or other handheld mobile device that can communicate with a military network. Therefore, the committee directs the Chief of the National Guard Bureau to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2022, on the plan and progress for implementing telehealth Periodic Health Assessments.

Ocular Trauma Specialized Care

The committee understands the goals of the Department of Defense Vision Center of Excellence are to improve vision health, optimize readiness, and enhance quality of life for service members and veterans. However, the committee is concerned that recent medical manning divestitures taken on by the military medical departments of the services may adversely impact the availability of ocular services throughout the Department of Defense. Therefore, the committee directs the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Secretaries of the military departments, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 1, 2022, that includes the following:

(1) a review of medical manpower warfighter readiness, requirements, and capabilities for vision trauma and ocular care to include training and Graduate Medical Education as they relate to all national defense strategy scenarios.

(2) any planned military medical manning divestitures in all areas of ocular to include sensory injuries with ophthalmology and optometry requirements by service and location.

(3) the feasibility of establishing at least four regional medical hubs for enhanced treatment of ocular trauma and traumatic brain injury vision dysfunction injuries with the hubs associated with a major military medical center as the

primary center for providing specialized medical services in that region and co-located with major aerial debarkation points within the medical evacuation system.

(4) an analysis of access standards and funding for ocular services over the last 5 years in both the direct care system and purchased care.

Rare Cancer Treatment Report

The committee commends the Department of Defense for starting to address exposure risks that can correlate with cancer, but remains concerned about how care is provided to service members following diagnosis of cancer. Over 60 cancers disproportionately impact those who have served in the military and most are rare cancers, defined as fewer than 6 new cases per 100,000 Americans per year. Few targeted treatments are being developed and made available for service members and understanding the specific molecular driver for each patient's cancer is vital to informing the best treatment.

The committee directs the Secretary of Defense to submit a report to the Senate Committee on Armed Services and the House Committee on Armed Services not later than March 1, 2022, that includes the following:

(1) a description of the specific types of molecular diagnostics, such as microarray, whole exome, and RNA sequencing, which the Department of Defense is providing to beneficiaries diagnosed with cancer and their frequency of use;

(2) the Department's detailed policy for data-sharing practices for cancer cell lines and models with the external research community;

(3) the feasibility of the Department to engage in public-private partnerships to use a next-generation, precision-oncology platform that integrates bioinformatics, machine learning, and mathematics to unveil unprecedented insights into cancer and moves beyond a single-target-based approach. This approach should seek to identify complex and interconnected mechanisms responsible for drug response and resistance revealed in the human transcriptome to determine the best treatments and facilitate developing new ones and any potential costs associated with this; and

(4) the method by which the Department provides information to all clinicians treating TRICARE and Military Health System patients on the value of using molecular diagnostics for all cancer patients and reimburses for these important diagnostics at the time of diagnosis.

Telehealth Licensure Flexibility Review

The committee recognizes that the Department of Defense implemented several temporary policy changes because of the COVID-19 pandemic. The committee is interested in the feasibility of retaining some of those policy changes in effect, such as the waiving of certain licensing requirements allowing interstate telehealth appointments with TRICARE-authorized providers. Therefore, the committee directs the Secretary of Defense to submit a report to the Senate Committee on Armed Services and the House Committee on Armed Services by

March 1, 2022, on the feasibility and estimated cost of extending these flexibilities permanently.

TRICARE Dental Contracting

The committee recognizes the importance and value of the TRICARE Dental Program (TDP) to service members and their beneficiaries. The committee is also aware that the plan to transfer TDP to the Federal Employees Dental and Vision Insurance Program (FEDVIP) resulted in unintended consequences: increased beneficiary choices came at an increased cost to them and limited the Department's ability to provide the benefit to beneficiaries living overseas. The FEDVIP option would also result in potential increased cost to government, convoluted requirements between agencies to provide subsidies, and complicated communication with beneficiaries. Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than February 1, 2022, on the plan to transition the TDP contract that addresses the challenges raised above.

TRICARE Reimbursement of Critical Access Hospitals

The committee is concerned about the impact of inadequate TRICARE reimbursement for care in Critical Access Hospitals. Therefore, the committee directs the Secretary of Defense to submit a report to the the Senate Committee on Armed Services and the House Committee on Armed Services by February 1, 2022, that includes the following:

- (1) a review of current TRICARE reimbursements for all Critical Access Hospitals nearby military installations;
- (2) a geographic review and comparison of reimbursement rates for all other hospitals participating in TRICARE;
- (3) a review and identification of healthcare providers currently receiving rates less than current comparable Medicaid rates for TRICARE services; and
- (4) a review of the impact of healthcare provider closures on military access to health care and readiness, including Critical Access Hospitals or Rural Access Hospitals that currently receive less than Medicaid rate for a portion of TRICARE services provided.